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# "Equal Access to Mandated Testing": Policies, Disciplinary Discourse, and Practices of Performance in the Lives of English Language Learner Youth

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# "Equal Access to Mandated Testing":
# Policies, Disciplinary Discourse, and Practices of Performance in the Lives of English Language Learner Youth

**by**

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# Dedication

To Jessica, whose support, companionship, insight, sacrifice, patience, and love made this project possible. A nuestro hijo, William Gabriel Montalvo-Black, nacido el 24 de septiembre, 2004 en Austin, Texas

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# "Equal Access to Mandated Testing": Policies, Disciplinary Discourse, and Practices of Performance in the Lives of English Language Learner Youth

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This dissertation portrays how multiple educational assessment and language policies are constructed at various institutional levels and subsequently intersect in the lived experiences of English Language Learner youth at an elementary school in Texas. The study presents analysis of discourse and practices that formed around four case study students at Márquez Elementary. These students were subject to Texas Accountability System evaluation practices such as the preparation for and administration of the Spanish or English Texas Assessment of Knowledge and Skills (TAKS). In this study I demonstrate how students live certain policies through mediating school cultures, organizational structures, and discourses. Enjoining critical policy analysis perspectives with ethnographic and critical discourse analysis methods, Bilingual Education and accountability policies that are conceptualized, developed, and implemented at

broad state and institutional levels are examined in light of how they are appropriated and mediated in the cultural practices of a particular elementary school.

The study engages historical perspectives on bilingual education and educational accountability policy streams, as well as contemporary debates over the equity effects of these policies. Inquiry frames and methods for collecting data and linking policy reforms to local experiences are introduced. I then present analysis of school based research and state level policy analysis before discussing the implications of the policy contradictions and tensions that I encountered. These included the creation and sustenance of state, district, and school-based performance cultures, and the growing ambivalence toward bilingual education policy and practice in those cultures. This is reflected in the discursive turn to "equal access to mandated testing", and a shift in practice towards English-first early-transition models for English Language Learner youth.

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# CHAPTER ONE

## "Equal Access to Mandated Testing": *Introducing Policies, Disciplinary Discourse, and Practices of Performance in the Lives of English Language Learner Youth*

### INTRODUCTION

This study is a process-oriented inquiry of the ways multiple levels of assessment and language policies intersect in the lived experience of three immigrant students who are English Language Learners (ELLs) at Márquez Elementary.[1] It explores analytic links between policy as appropriated, negotiated, and implemented at the school context students inhabit and policy as conceptualized, developed, and implemented at broader institutional and state levels. To do so, I used school-based ethnographic approaches and critical policy analysis to explore discourse and practices in a school culture where ELL students outperformed their District and State counterparts. I portray various disciplinary discourses and a generalized culture of performance contribution to particular policy arrangements, or policy webs, that form around selected English Language Learners (ELLs).

As a result, I document policies, practices and discourses which created and sustained state, district, and school-based performance cultures; favored closed, tightly-coupled administrative and leadership styles; and fueled ambivalence toward bilingual education policy and practice, even amongst many of its supporters. I argue that accountability policies seek to rapidly assimilate ELL students into the reformist mechanisms of high-stakes monitoring and evaluation while they simultaneously support

[1] Márquez Elementary is a pseudonym as are the names of school districts, school personnel, students, and other participants. State-level personnel, when quoted as a matter of public record, are idenfied by their actual names.

bilingual education as failure discourses. Thus, the discursive turn to "equal access to mandated testing" indicates a shift in local, District and state bilingual education practice towards English-first early-transition models for English Language Learner youth.

In this dissertation, I describe and analyze a shifting accountability policy web that envelops selected case study bilingual education and immigrant students in a particular school, Márquez Elementary. Márquez Elementary is important for this study because of the relative success of its immigrant and bilingual education students on high-stakes accountability policy measures, primarily the Texas Assessment of Knowledge and Skills (TAKS). The school's response to high-stakes assessment policies, as evidenced by practice and discourse in the lives of the four case study children, staff members, principals, and parents reveals contradictions and tensions that mitigate against the construction of any facile victory narrative. What proceeds is a cautionary tale that provides a conflicted and partial narrative of immigrant students "success" at Márquez. It is particularly cogent for those educational practitioners who construct functionalist narratives of current accountability policies as pragmatic, neutral, and beneficial for all students. The description and analysis of state policy processes that monitor and incrementally reform the Texas State Accountability system seeks to demonstrate how contradictory themes and tensions elicited in the ethnographic study of Márquez are rearticulated and reformed in the State-level policy arena.

**POR QÚE: STUDY SIGNIFICANCE**

For this study, bilingual education and standards-based accountability and evaluation policies are envisioned as emanating from distinct policy streams populated with separate, occasionally overlapping advocacy coalitions drawn from inside and outside of official institutions. Policy streams as Light (1984) conceptualizes them consist

of four currents that come together: policy problems that are identified, solutions that emerge, assumptions that define the problems (and solutions), and the players who participate in the policy debate. The second chapter situates the literature around these particular policy streams, placing particular emphasis on equity oriented assumptions while articulating specific contributions this study makes to research and practice by using a sociocultural approach to policy analysis that is historically informed, locally grounded, and critically framed.

In order to situate the significance of my study content and approach, I introduce and discuss accountability and bilingual education policies, discourse, critical policy analysis, as well as normative, sociocultural approaches to policy analysis in the second chapter of this dissertation. Additionally, I situate the research discourse in the two overarching policy streams engaged with in this dissertation: high-stakes educational accountability policy and bilingual education policy. A voluminous and polemic discussion that has surfaced over the utility of standards-based accountability and evaluation-driven reform policies in education, particularly over performance and equity effects of the Texas Accountability System. The role and effectiveness of bilingual education practices in providing ELL students the opportunity to learn has been the focus of research, much of which reflects upon axiological struggles over the symbolic role of language instruction in the schools.

In chapter two, I further review research located at the intersection of these policy arenas and argue that the implications of this study can be used to inform decision-making at the State, District, and Campus levels, particularly in planning and analyzing the ways bilingual education policy responds to accountability pressures. I also argue this study is cogent to critical leadership that will need to appropriate information, line up support for progressive reform measures, mediate harmful policies that rearticulate

traditional semi-authoritarian leadership and organizational behavior and assimilationist ideologies, while embracing complexity. I also believe that this study can contribute methodologically because it newly applied multi-tiered critical policy methodology to a complex, and increasingly common context.

## COMO LO HICE: METHODOLOGICAL CONSIDERATIONS

The guiding questions, theoretical frames, and data collection procedures for the study are put forth in chapter three. The original research questions that guided the state and school level analysis were the following:

In what ways do the case study students and their families, teachers, and school based administrators understand and negotiate the intersection of language and assessment policies, particularly in organizing the preparation of students for high-stakes tests such as the Spanish or English TAKS and the RPTE?

What effects do assessment and language policies have on instructional, curricular, and administrative decisions that impact the case study participants at the local level?

In what ways does classification as a LEP or bilingual education student affect assessment decisions?

How do assumptions, ideologies, and techniques embedded in state and federal language and assessment policy documents that speak to assessment driven reform for ELL students relate to local understandings and practices?

### Theoretical frames

This is a multi-tiered study that draws upon three major systems of inquiry to produce and analyze data/text at both the local school site and in state and district level institutional policy contexts. The first is the interpretive tradition from ethnography in which meaning making is explored through the use of qualitative methods of observation,

informal interview, formal interview, and case study. The second is the critical/political tradition in which unequal relations of power are acknowledged and the researcher's desire to interrupt or someway transform the reproduction of the inequalities form an integral part of the study. A third tradition, influenced by sociolinguistics and poststructural influences often located in cultural studies, stresses the relationship between power and language, and analyzes the production of text, discourse, and the social constitution of institutional and material "realities".

These three frames of reference are useful to conducting a critical policy analysis, in which school-based micro-policy studies give an "account of how educational policies are received and articulated in schools" and critical policy analysis links "how the political economy and cultural practices of schools are linked" (Taylor, et. al, 1997, p.viii). Taylor et. al. state that the guiding purposes of critical policy analysis are fivefold: to understand the context the policy arises from, to evaluate how policy processes are arranged, to assess a particular policy's content in terms of a particular set of values, to explore whose interest the policy serves, to engage in a struggle over how to participate in policy advocacy, and to examine how policy is implemented (1997, pp. 17-19). Rational-technical policy cycle models of formulation, implementation, and evaluation (Theodoulou, 1995) are reconceptualized as dynamic entities "continuously transformed by implementing actions that simultaneously alter resources and objectives" (Majone & Wildasky, 1973, p. 145). Thus, I attempt here to extend the analysis of bilingual education and accountability policy "to examine some of the 'power networks',

discourses and technologies which run throughout the social body of education; the local state, educational organization and classrooms" (Ball, 1994, p. 1).

**Data Collection**

In order to emphasize processes and to examine how policy is implemented and lived, I used ethnographic research procedures to produce the text for analysis from the school site. These procedures include: participant observation, hand-written raw fieldnotes and word-processed full fieldnotes, bracketing, informal and semi-structured interviews, focus group interviews, audio-taped records, and document or non-intrusive data collection. A primary source of school-based data was produced through participant observation, informal interviews, and written artifacts. In addition, the assumptions, implementation strategies, and evaluation components of policy documents that relate to accountability and ELL and immigrant students were analyzed throughout the project. These include but are not limited to state and institutional level policy documents available through the Texas Education Agency, the local school district's offices of bilingual education and accountability, and the Márquez Elementary campus. I considered all of my data, including policies themselves to be "text", and I was particularly interested in policy discourse produced around the signifiers of bilingual education and accountability and articulated across multiple levels.

**School site selection**

Márquez Elementary is located in an urban setting in Central Texas and was geographically and personally accessible to the researcher. During the 2003-2004 school

year, the school had approximately 370 students enrolled, 19.6% of whom were classified as African-American, 78.7% as Latino, and 1.7% as White. Sixty-eight percent of the students are officially demarcated as "at-risk", 91.6% as economically disadvantaged, and 30.8% as "Limited English Proficient". The school has been labeled "Recognized" in the Texas Accountability System rating system for the past two years and has manifested growing success as measured on the TAAS and now TAKS assessment. The school has a lengthy history in its neighborhood locale, and is located in a neighborhood that shares socioeconomic indicators often associated discursively as "inner city" or "urban", a lower income sector of the city primarily populated by people of color. Therefore, it would be a site to consider the equity and performance effects of the Texas Accountability system in a context where Latinos and immigrants form the majority of the community population.

**State policy selection**

I sought out information in State and District level policy texts and discourses related to accountability and bilingual education. As such, in chapter Six I paid particular attention to the Texas Educator's Accountability Task Force meeting that took place on February 3rd, 2004, and used it as an avenue to explore the normative, value-laden construction of state accountability policy. I selected to focus on the policy contents and discourse of this meeting because use contents of the meeting to organize my analysis of how themes from the previous chapter's analysis of Márquez, circulate and are rearticulated at the level of state policy development. In the meeting, process-centered themes including the constructing and maintaining of a culture of performance, the privileging of a tightly-coupled management ideology, the institutional disciplining of

student academic production, the production of stress and anxiety through meritocratic competition, and the increasingly comprehensive attention to students, including ELLS were rearticulated.

Examining the intersection of accountability and bilingual education policies at the state level, I chose to focus on the development and implementation of the state's Reading Proficiency Test in English (RPTE), which allowed me to trace the reemergence of assimilationist ideologies as traditional bilingual advocacy coalition demands (expanded bilingual education programs, more Spanish language materials, and more teacher training) are crafted around the powerful and performative demands of outcome-based accountability policies. Similarly, at the District level, I chose to focus on a report which favors and disciplines tightly-coupled management and set the stage for the introduction of a new TAKS outcomes-oriented curriculum that emphasizes greater use of "academic" English.

**Interpretation and analysis**

Throughout the project, local policies and practices were interpreted in light of broader authoritative policies and informed further observation and interviews in an iterative cycle of description, analysis, and reflexivity. I began interpretation and analysis using an integrative approach of interpretive coding, "drawing upon language found in the text to flag ideas or meanings that we explicitly or instinctively sense are important" (Paintanida, 2004). In this manner, I attempted to capture idiosyncratic situational details. Once all of my fieldnotes, journal entries, and informal and semi-structured interviews and analytical entries had been converted to text, I read through the entire set of

documents twice, marking initial themes, creating new analytical points, and expanding on previously completed analysis. I then elicited initial themes through categorization, which were then used in turn to develop analytic themes. When the themes were elicited, I then engaged appropriate theoretical and content literature to further interpretation and analysis of both school-based and state-based policies and practices. Text data excerpts were presented to support further delineated thematic analysis and other forms of data. Excerpt editing was guided by length, relevance, readability, comprehensibility, and anonymity.

In my analysis, I attempted to link local practice to district and state level policy and then to broader theoretical and literature based discussions. I sought to identify nuances around issues and dilemmas, and then move to a more abstract tier to provide conceptual language to describe and explain the relationship amongst the clusters of themes.

**Quality issues**

Credibility, or internal validity of the project was obtained with persistent observation occurring over seven months. Peer debriefing occurred with my writing group, two former principals in the district, and in meetings with one advisor and other graduate students. I deliberately sought negative, disconfirming cases and interpretations. Haven chosen process-oriented, non-positivistic qualitative, critical, and discourse analytic methods, generalization of results from this study are limited. This study attended to school based processes over a seven month period and did not attempt to focus in depth on the effects of the policy outside of Márquez Elementary and the

classrooms of the selected participants, with the exception of selected parental interviews. This study did not attempt to compare the discourse and practices at this particular school site with other school sites, other than for limited purposes of triangulation of data.

### DE DÓNDE VIENE, A DONDE VA: CONTEXTS OF THE STUDY

Reading Proficiency Exams, systemic monitoring of students through assessments, and other state and locally implemented accountability policies that are part of the school lives of bilingual and immigrant youth are not implemented on a societal and institutional tabula rasa, but rather are embedded in a broader U.S. social and policy context in which the idea that immigrant or indigenous languages are intrinsically valuable to the construction and stability of communities and the nation-state are subverted. In Chapter Four I provide an analysis of the historical context of accountability and bilingual education policy streams before turning my attention to the demographic shifts in Latino and immigrant populations and discussing the potential impact these changes generally have on the organizational life of schools facing a high-stakes accountability environment, including Central Texas Independent School District and Márquez Elementary in particular. I then portray characteristics of the community and school, including recent TAKS performance data, before introducing participating teachers, support staff and administration at Márquez Elementary. At the end of the chapter, I introduce the four students whose lives organized the focus of my inquiry, and upon whose bodies educational policies become inscribed.

### PROPÓSITO: WHAT ANALYSIS IS OFFERED IN THIS DISSERTATION

A primary concern of the dissertation research presented here is to understand how selected testing and accountability policies intersect with bilingual education policy in the lives of immigrant students in a particular school context. In Chapter Five, titled

"It is a hard victory": *Contradictions and tensions at Márquez Elementary* I present results of the school-based study which set out to explore discourse and practices around students officially classified as "LEP" (Limited English Proficient), who are subject to Texas Accountability System policies. I portray a school's culture of performance in which certain practices of performance, disciplining discourses, bilingual education policy, and tightly-coupled management systems are mediated responses to accountability policies such as the high-stakes Texas Assessment of Knowledge and Skills test and District monitoring and evaluation systems.

Another primary concern is to understand and analyze the ways in which overlaying bilingual education and accountability policies have been recently conceptualized, developed and implemented in the Texas policy environment. This analysis is presented in Chapter 6, titled Disciplining Productivity and Performance: *Accountability policies and institutions in the lives of immigrant youth*. In that chapter, I trace the normative construction of certain accountability policies and discourses at the State and District level that rearticulated themes of practice evident at Márquez Elementary. I use content from the Texas State Educators' Accountability Task Force meeting, the development and implementation of the Texas Reading Proficiency Test in English, and the District analysis of LEP student performance and resulting implementation of a new bilingual education approach to organize my analysis.

## QUE PASÓ: MAIN THEMES AND IMPLICATIONS

### Márquez themes

Starting with a description of a TAKS Pep Rally, I portray the various ways Márquez is not simply a high-performing school, but rather a school that creates and normalizes a performance culture-a school where performance is disciplined. In Chapter Five, I analyze symbolic and socio-cultural constructions of performance, I then look at how organizational structures and behaviors maximize time and efficiently organize bodies in support of the school's performance culture, which centers successful TAKS performance as an organizing principle. In this culture of performance, a sense of performance for the collective benefit of the school is normalized, and students come to have a sense of performance agency. At Márquez, resources are coordinated to maximize passage of the test, and students are explicitly taught test-taking strategies and while disciplined to maximize effort on assessment and comprehension tasks. An ideology of competition is evident, although sometimes muted by collective Tasks. In seeking to maximize time on the delivery of the curriculum, student bodies are disciplined to provide a relatively quiet and orderly school where classroom doors are locked, recess is limited, and students read books and are constantly told to be quiet during lunch in the cafeteria.

I focus a subsequent major theme of analysis on how State and District policies that promote tightly-coupling curriculum standards, pedagogy, and assessment are vigorously translated into the Márquez setting through tightly-coupled management and monitoring systems. As a sub-theme of leadership in a tightly-coupled system, I

encountered comprehensive and caring attitudes towards the children of the school and a well articulated vision for the school in tension with semi-authoritarian monitoring and disciplining of variance and a hierarchical leadership style that is described in a leader as parent metaphor. I then examine some of the major effects of a performance culture in a tightly-coupled organization: student and staff stress, a constant sense of anxious responsibility to catch up students, and conflict over the triumph of curriculum-centered policies over learner-centered ones.

In the last major section of the chapter I present themes from my analysis of how bilingual education policies are lived within Márquez's performance-oriented culture. I begin by articulating and recognizing material benefits English Language Learners and staff receive as a result of some aspects of the asset oriented, tightly-coupled performance culture present at the school. I then discuss the positioning of bilingual education and native language instruction policy and practice as limited, interfering, or as failure in the context of the dominance of accountability performance discourses and practices, and the structural impediments that are inherently challenging for ELL students in their transition to the secondary school context.

**State and District themes**

In the meeting of the Texas Educator's Accountability Task Force, great concern was given to constructing accountability policy tools that would leverage performance and support cultures of performance at local and district levels. The accountability reforms considered and implemented, such as the setting of rating category performance floors sought to expand the comprehensiveness of the system and the reformist gaze of

the state, while concurrently weaving enough flexibility (low passage floors, exceptions, standard error of measurement policies) into the system as to protect the legitimacy of the state. The construction of new monitoring and assessment policies, such as the development of a reading proficiency test that sought to bridge ELL students to success on the English-TAKS, were coordinated with a more tightly articulated state mandated curriculum, which in turn support the implementation of tightly-coupled administrative systems and leadership, which was evidenced at Márquez. The means by which the accountability policies are constructed and implemented through multiple institutional levels serve to both discipline and support professional educational administrators, such as the ones in attendance at the "Educators" Task force, while hierarchically reducing the influence of non-professionals, such as a parent at Márquez who envisioned herself being constructed as "a little person" in the accountability-driven, tightly-coupled, and stressful local educational atmosphere.

As for ELL students and bilingual education, state discourse and practice that oriented toward "equal access to mandated testing" captured civil rights discourse under the reformist impulse of the standards-based accountability reform movement. When measurable outcomes for ELL and immigrant students at the state and District levels lag behind the "regular" students, bilingual education as failure discourses are engaged by teachers at Márquez, and stream through District reports and state-level analysis of Reading Proficiency test results. As a result, accomodationist stances are systematically troubled at various institutional levels and assimilationist ideologies already embedded in

curriculum-centered approaches, standards, and "equal access to mandated testing" discourses have come to predominate in the lived experiences of immigrant youth.

In chapter seven I offer some concluding thoughts about the implications of this study for educational practitioners and policymakers, and for the fields of educational administration and educational policy studies. I discuss implications of themes encountered: cultures of performance, tightly-coupled administrative and curriculum-centered approaches, stress and anxiety, bilingualism as asset versus problem orientations, and the rearticulation of assimilationist ideologies through accountability policies. I also briefly reflect on the potential subject of an article: the particular challenges and power-laden conflicts I myself encountered doing a type of "homework"-ethnographic fieldwork in a school District where I had previously worked as an administrator.

## LOS PASOS AL ESTUDIO: WHY THIS STUDY FOR THIS RESEARCHER

Critical policy analysis links localized policy interactions with authoritative policy development, implementation processes and discourses that constitute how policies are lived (Apple, 2004; Ball, 1994: McNeil, 2001; Taylor, et, Al, 1997). As a qualitative inquiry, this dissertation reflects a post-positivist understanding of phenomena investigated and interpreted by researchers as largely shaped by the positionality, experiences, and thus "lens" of the researcher. Researchers are also trained within regulatory disciplines of practice/theory and situated in particular discursive communities (Bowe & Ball, 1992; Hatch, 2003; Scheurich, 1997; Silverman, 2003). In this first chapter, I begin to situate myself in my study through a narrative that serves to reveal a

sliver of my positionality and situates me in a bilingual education discursive community of which I have been a part for several years. It also serves to introduce my previous experience as a practicing educational administrator in the same district in which I conducted my research.

This dissertation springs from my own experiences "living" broadly conceived language policies and practices at a local level, whether as a child, or as an adult involved in immigrant rights work and education. I was born in Costa Rica to Texas-born parents, and I was in bilingual classes in Kindergarten and first grade before coming to live in an all-English environment in the United States. Even as a relatively privileged Anglo-American child with Spanish skills in second grade in New Orleans, I felt positioned as different because of my previous life in Costa Rica and so actively sought to avoid Spanish and my association with Central America. However, since high school I have pursued and developed my interests in Latin America and U.S. language and immigration policy in a variety of academic and professional pursuits. I worked for immigrant rights organizations in the late 1980's and early 1990's in South Florida and Texas. During that time, I enrolled in the Latin American Studies program at the University of Texas, where I pursued studies of immigrant sending communities; focusing my studies on political economy and development policy in Central America. My enrollment in the Foundations of Educational Administration program at the University of Texas led to my appointment as an Assistant Principal in a large (1000 student) "low income" school with a 42% English Language Learner student population that continues to grow. My administrative experience placed me in the position to "manage" rising immigrant and ELL student populations inclusively within standards-based reform policies that called for increased performance expectations. In that position, as with my immigrant rights work, I felt that

some policies might contribute to a nuanced reinscription of cultural and language assets through micro institutional discourse and practice.

During the four years I served as an Assistant Principal, I worked with our teachers on developing our bilingual program. We visited successful bilingual programs in the Texas Rio Grande Valley and in El Paso and met monthly to discuss our program goals. In reflection, I believe that we attempted to balance a belief in native language development with the reality that, except for our recent immigrants, virtually all of our kids would receive instruction in English and would be assessed in English once they went to our feeder Middle School. As a result, we crafted a late-exit bilingual program that used more English in fourth and fifth grade and established ESL classes for our transitioning bilingual students in the fifth grade. For our high-stakes TAAS (Texas Assessment of Academic Skills) preparation, we had most of our LEP (Limited English Proficient) students take the TAAS in Spanish in third grade, split the test in 4th (many would take the Math in English), while the majority would take the TAAS in English at 5th grade. I took much time (approximately 40 extra hours of work as the Test Coordinator) to arrange and manage this multiple language assessment and test splitting for our students.

My last school year as Assistant Principal, 2000-2001, seemed markedly different in the intensity of accountability pressures. We had continued to improve yearly on our TAAS scores (we were a high "acceptable" category school) and our Spanish TAAS scores had also continued to improve, although reflective of State-level trends, there was an approximate 10-15% performance gap with English TAAS scores. Still, despite reservations and some discomfort with the idea, we tightened our evaluation of students, assessing and reporting student performance on weekly assessments of the Texas Essential Knowledge and Skill (TEKS) standard objectives that were evaluated on the

high-stakes TAAS. As part of our strategy, the administrative and support staff arranged to meet with teachers every other week during the day to discuss how to teach the state curriculum and TAAS objectives.

Concurrent to pressures on the bilingual program, I felt a change in the type of district response to our bilingual program from general support to growing discontent. The District Bilingual Coordinator assigned to our school came to visit us and in contrast to what the Bilingual Director and the Coordinators had told me two years earlier, she explicitly stated that our students remained in native language instruction for too long. She stated that by doing so, we were doing a disservice to the students as their test scores would suffer and the students would not be prepared for complex curriculum delivered in English-only at the middle school. She suggested that we start transitioning to almost all-English content instruction by second grade, third grade at the latest. I was taken aback and several of the teachers were angry. We decided to continue to pursue our late exit program, and many of us felt that we could best pursue our bilingual agenda now by not drawing attention to it, not calling on the District for support in this area. But, we also looked to see if there were individual students who might be able to move to English classes in 4th and 5th grade. After consulting a variety of sources of information (the Reading Proficiency Test in English (RPTE), TAAS, Reading Inventories, family histories, teacher recommendations, and grades) one of our mediated responses was to transfer a handful of students to all English classes and to monitor their progress.

As the district was beginning to change its bilingual education perspective, a new state testing policy arrived at our educational doorstep. Because we had large amounts of LEP students our school had been selected to participate in RTPE field-testing and we were familiar with its format when it formally began to be used in the spring of 2000. In the fall of 2000, we received the first official student reports on the RPTE that were filed

in the students' cumulative folders and sent home to the parents. I recorded the information, but we primarily used other sources of information to determine language instructional strategies for the students, as we viewed the RPTE more as a bureaucratic hassle. We made language instructional decisions in the early fall so that students would be appropriately prepared for the TAAS in the language that they would be assessed. Around January of 2001, I received a memo from the district testing and accountability department stating that the scores on the RPTE had been recalibrated by the state to reflect the beginning, intermediate, and advanced levels of proficiency. New student reports were issued and we sent home a letter to parents with the reports, which more clearly indicated the performance category of English reading proficiency that their child had achieved.

Stuck in the middle of the memo was a statement that first panicked, and then angered me. It said that *students who scored "advanced" on the RPTE would take all sections of the TAAS in English*. I immediately thought of our fourth grade, where we had ten bilingual students that had scored advanced and who were being prepared to take the Spanish writing TAAS in less than a month. For three and a half years, we had met and designed a program for our school where many of our fourth graders who were progressing in their English acquisition skills and would the Math TAAS in April, but would take the writing TAAS in Spanish. Using with the works of such authors as Krashen, García, and Cummins, we generally provided support in writing in Spanish in order to continue to build on the students' and community's assets. Writing seemed to me, based on both our reading of literature and on experience, to be the most complex aspect of language use to master. In my thinking, maintaining it longer would support English language acquisition and support mature literacy in the native language as well as cultural competence that many second and third generation immigrants lose in a

systematic, subtractive fashion (Valenzuela, 1999). Not everyone on our staff, of course, thought this, but from my vantage point (perhaps of naïve realism), there was a collective understanding of the benefit of competently using native language instruction amongst the majority of our staff.

It seemed a minor directive, one that would technically only affect two percent of our students directly. Yet, at the moment of reading that one sentence, my (and our) investment in the efforts of the previous three and a half years felt trumped, undermined. I felt angry as we were already working against some policy routes within our district by maintaining a late exit program, and now the district, in alliance with the State, was going to disrupt our efforts further through the use of articulated testing mandates. I felt that power had been removed from our campus and I remember feeling that the body of my efforts suddenly felt scrawny. The statement in the memo seemed intent to discipline and limit what we could do, and even in some vague way, what we could talk about.

I got on the Texas Education Agency (TEA) website (as the "publicness" of information is an advantage of the system [Scheurich, et. al., 2000]) and at the time there was nothing explicitly relating the RPTE performance level to the language of assessment. I called the Director of Testing and Assessment for the District and asked her to clarify. I spoke to her about what seemed to me to be wrong and unfair, given that we had made plans for month for these students to take the Spanish writing TAAS and that historically language assessment issues were local decisions, to be decided by the campus based Language Proficiency and Assessment Committee. Later that day she called back and told me that she had spoken with TEA officials and relayed to me that students who scored advanced on the RPTE could take the TAAS in Spanish, as long as the campus based Language Proficiency Assessment Committee (LPAC), of which I was the chair,

documented why they made that decision, which is the basically the policy that is in place today. I could breathe easier for our position.

What worried me at the time was the rather strong assumption in the memo that there was connection between a certain level of performance on the RPTE and the readiness and desirability of having a student have most or not all content instruction in English so that they could take the TAAS in English. I knew within transitional frameworks that once a student had to take the TAAS in English, time devoted to developing native language skills would realistically diminish considerably. Analysis in presented in chapter 6 bears out these concerns, which are represented in a statement made by Texas Deputy Commissioner of Accountability who characterized the now multiyear RPTE results as "abysmal". When I returned to this same school in 2003 and spoke to a fourth grade teacher, she said that the day before the writing TAKS (the successor to the TAAS, the Texas Assessment of Knowledge and Skills), she was told by an administrator that a student that she had been preparing to take the test in Spanish had to take the test in English because he had scored "advanced" on the RPTE, even though it still legally remains a locally determined decision. I knew that most people would assume, without knowing whether the performance on the RPTE had any predictive validity on performance on the English TAAS, that students should get advanced performance ratings rapidly and that once they get those ratings, they should take the TAAS in English. In this dissertation, I describe and analyze elements of an accountability policy web that is suspended over immigrant and English Language Learner youth in a manner that retains a perspective that promotes quick and rapid transition to the English TAKS as an overarching goal. As I began to conceptualize this project, I recognized my own desire to understand how (and in what ways) certain assimilationist assumptions and discourse around bilingual education and immigrant

youth, which are disconfirmed by a body of language acquisition research and immigration sociology (Aparicio, 2000; Corson, 2001; Crawford, 2001; Cummins, 1998; Portes & Rumbault, 1990) continues to be manifested in across various local and state policies and practices (for other examples of this interest, see Baron, 2001; Freeman, 1998). This interest also led me to explore some of the history of bilingual education and Latino education in Texas, which became incorporated into chapter 4.

As a result of my own lived experience and pro-bilingual and bicultural perspectives, I began the dissertation project with some suspicion that high-stakes accountability-reform techniques, such as the use of public evaluation instruments, when constructed over district and local bilingual education practices, would lead district and campus personnel to construct narrower conceptions of appropriate language policy vis-à-vis English Language Learners and immigrant students. I routinely searched for disconfirming evidence (Spradley, 1980), but let you the reader be the judge after reading this study, as to whether such suspicions were or continue to be warranted. My desire was to more carefully and systematically examine what I interpreted was happening to me as an assistant principal: that spaces for the practice of bilingual education and other asset based practices are closing (or perhaps opening in other ways) in response to accountability and high-stakes testing policies. If that was the case, I wanted to then articulate how and if these spaces could open up again in new policies.

### SUMMARY AND GUIDE FOR READER

This chapter introduced various elements of the dissertation that are contained in the following chapters. I started with a discussion of the study significance and literature reviewed in chapter two, and then discussed the guiding questions, theoretical frames, and methods that are the subject of chapter four. This chapter also provided a prelude of

the historical context, demographic shifts that underpin both contemporary bilingual and accountability policies and their mediation at the Márquez Elementary school site. I then introduced the subjects of analysis in the dissertation, before summarizing the main themes elicited from my analysis of school-based inqury that appear in the fifth chapter, and the State and District critical policy analysis that is presented in chapter six. I then introduced the concluding remarks, and ended with a discussion of a particular event that provides insight into the ways accountability and bilingual education policies intersect in the lives of school based personnel and children. I also included this event to introduce myself, the researcher lens I brought to the study, as well as my motivation for the study.

# CHAPTER TWO

## "We were just talking philosophy": *Research discourse and significance of this study*

### INTRODUCTION

Excerpted and written from fieldnotes from January 20, 2004:

8:15 A.M. I walked in to the front office at Márquez and Maria [the principal] was in her office, saw me, and invited me in to talk. After exchanging pleasantries, Maria [who speaks Spanish] told me that she is now speaking in English to the upper grade students. " I know I have to prepare them for Middle School and TAKS [in English at the secondary level] and I want to help them keep their culture, but I feel guilty and feel that I am doing them a disservice if I continue to speak to them in Spanish when I know what awaits them and the parents want them to learn English. I feel really conflicted." Maria then continued to tell me about the new immigrant student who is getting extra support in class from the reading specialist only in English and also in an after-school English class. "I speak to him in English too and he is so excited to learn English- I want to speak to him in Spanish, but I think I need to speak to him in English so as to not to do him a disservice." She then talked about how there is a group of girls in the 5th grade who really have not made the transition to English, but they were pushing them. "Are they receiving all of their instruction in English? " I asked. Yes, but then Maria added that they speak Spanish to themselves and a beautiful Spanish out on the playground to each other. Maria's voice pitched up as she said she was conflicted, but in the end she thought that English-only instruction in the upper grades of elementary school was the best thing for students. All fifth graders were scheduled to take the TAKS in English, and as well as

many of the bilingual 4th graders. I asked about the writing portion of the exam, which comes earlier in the year (February instead of April). Yes, there is a group doing the writing TAKS in Spanish, "but their writing is beautiful." She knows this because Maria has all the students give her a writing sample every quarter and she takes the time to write a response back to them.

Maria then said that the District highly discouraged the students taking the new Science TAKS in Spanish, as the vocabulary is "so high." I said that I understand, but commented that she had some teachers that were capable of using the high level Spanish. Yes, she agreed, but throughout the conversation, Maria said it was "hard" "complex", and that she felt "torn" about the working with and keeping the "culture" of the students and asked me what I thought. I talked about language ideology and power and language and that I thought there were ideological notions embedded within the new bilingual education program, the *Elevar* program[2]- I stated that from her description it seemed to abandon some of the thesis of Krashen's work and the notions of transference. Martha asked what I thought- should you teach in English or Spanish in the upper elementary grades if they are going to the middle school. I said that there were things to consider and talked about Guerrero's (1999, 2003) work and the notion of making decisions based on whether a school or district has effectively fluent and confident teachers in Spanish- they

[2] Elevar is the title of the new bilingual education program that had just been introduced to the principals on January 7th and which has been adopted for the 2004-2005 school year. The Elevar curriculum calls for the use and specific instruction of high academic language in all of the content areas, beginning in Pre-Kindergarten. As such, it is a rupture from previous District bilingual education policy which called for 45 minutes of ESL at all grade levels. I asked whether they made the link between cognates in English and Spanish, or explicitly intended to scaffold from what the kids knew in Spanish and Maria said that in the presentation there was no mention of using Spanish or the native language at all- it focused strictly on English and the use of English in content areas. I responded to Martha saying that was interesting that nothing was made in Spanish, and as such it might align with the English-only ideology. Maria vociferously agrred. However, Maria has currently been promoted to a central office position where she will be in charge of implementing this new curriculum, which will drastically reduce the use of native language usage in the classroom, reserving Spanish use only for clarification at the upper elementary grades, who will implement a 'rigourous' ESL approach.

may be certified but not competent. But that is what is so good about Márquez I offered- you have some strong teachers and you can design a bilingual, not just compensatory program (Brisk, 1998; Freeman, 2004). What about if you don't have those teachers, she asked. I talked about delivery of content, good pedagogy and the "pragmatic reality" that I would rather have strong, experienced, and good teachers in a well articulated ESL program, than weak, inexperienced bilingually certified teachers in a school with no consistent bilingual program. Yes, this was difficult and complex, she answered. I then discussed a couple of points around power and language- language ideologies and notions of cultural subtraction that still remain important to bilingual education (drawing from, for instance, Corson, 2001; Crawford, 2003; Dueñas-Gonzalez, 2001; Stanton-Salazar, 2001; Valenzuela, 1999). [Her body language indicated that she seemed quite open to this kind of discussion].

I told her that I was coming to believe that my preference was for dual language, but when the students have to go to an all-English environment in Middle School, I recognized the need to keep that in consideration. Specifically, she asked about what to do with the limited-English, limited Spanish student and she said that they try to look at the parents home environment "the age of the parents and what grade they are in schools". I acknowledged that these are the most difficult students to deal with within the resource constraints of schooling and that the IDEA test [which the district has used for years to measure Spanish and English language proficiency] is quite limited in what it tells you, so all of these factors do come into play and you need to make a case by case determination, knowing the environment of the student. Also, maybe they are not equally limited in both languages; it is just that we do not have all the information. Plus, you need to look at the resources around the child, inside and outside of school. She concurred and gave me another example of how they used information beyond the IDEA and official

student cumulative record. We talked about having these kind of conversations with parents and I told her I would be very excited about doing that. She said that there are coffees and I want for parents to be able to advocate for their kids and that parents who have students at Monroe (the feeder middle school) and other schools often come to her asking for advice on how to handle situations. I said I would love to have more of these conversations about bilingual education policy and practice with her and the broader Márquez community. Maria seemed genuinely enthused, and after this initial discussion about beginning a larger conversation with staff and parents, Camila Largo, the Assistant Principal walked by the office and peered in. Maria invited her in, and immediately stated: "We were just talking philosophy".

I think this discursively places our conversation and contents of it as incidental, less than, when really I thought it was about things that were central to the framing and managing of the school. I thought this conversation about how to negotiate and operate within discursive regimes and institutional practices that normalize rapid transition to English was important- and yet quickly this conversation about issues and theory in practice is relegated to talking philosophy- versus pragmatic administration and common sense (in both the common parlance and Gramscian sense). This also reflected my sensitivity to my outsider status as a University-based researcher, no longer an administrator making decisions at the campus level. I made a joke, "o, yes, you get someone from the University and they want to talk philosophy". We did talk about getting me to come and talk with Maria to the parents about bilingual education. We then ended the conversation talking about a backpack a student brought to school that had 'pimp juice' as a label.

Lather has argued that simple, "pragmatic" conversations are not innocent: "clear speech is part of a discursive system, a network of power that has material effects" (1996,

p. 528). This, she says, is an extension of Althusser notion that "ideology always exists in an apparatus, and its practice or practices. This existence is material" (Althussier, 1971, p.166 quoted in Lather, 1996, p. 544). She follows: "the materiality of ideology 'interpollates' or 'hails' historical subjects so that consciousness becomes an effect rather than a cause. This thesis of the materiality of language is key in postructuralism" (Lather, 1996, p. 544).

I figured we were talking about material effects and practices in our conversation, while I believe that Maria essentially invoked a theory versus practice discursive dichotomy, effectively positioning my language and intent as non-material or rhetorical, rather than pragmatic. In reflection, my interpretation is not about Maria, but about me. I was (and am) frustrated with my inability to translate some knowledge and effect change, in the critical/political tradition. But it is also about positioning the subject of our conversation- bilingual education and language practice as secondary to the pragmatics of accountability.

So we never did get around to talking with parents and setting up conversations. It is here, in the second chapter of this dissertation, under conventions of the University, that I get back to 'talking philosophy". I intend to show in the following discussion of the "philosophy" in bilingual education and accountability literature- how the "philosophy"- that is the assumptions, values, conflicts and promoted efficacy of those educational policy approaches- are reflected within and amongst each policy stream, and I argue is important and central to interpretive and analytical work in this project as well as to administrative and policy efforts in and around schools.

## CROSSING PATHS: REVIEWING ACCOUNTABILITY AND BILINGUAL EDUCATION POLICY STREAMS

The research literature on the effects of high-stakes accountability testing policies on local policies, school governance, and classroom practice is large and polemic (Elmore, 1996; Firestone, Schorr, & Monfils, 2004; Hamilton, 2002; Haney, 2000; Lipman, 2004; Ravitch, 2002; Skrla & Scheurich, 2004; Valenzuela, 2000, 2004). In a parallel sense, there is much practitioner and general public interest in research on the effectiveness and benefits of bilingual education and language policies at the state, local, and classroom levels (Crawford, 2001; Cummins, 1998 Dueñas-Gonzalez, 2001; Freeman, 1998, García, 2001; Guerrero, 1998; Vásquez, 2003). I argue in this chapter that my study is situated at the confluence of bilingual education and accountability policy research. It connects local, student and school level ethnographic analysis to broader state and institutional policy discourses and practice (Alamillo, et. al., 2004, Ruiz-de-Velasco & Fix, 2000; Ruiz-de-Velasco, 2004; Solano-Flores, 2003; Súarez-Orosco, 2000; Valenzuela, 2004).

In this chapter, I introduce the notion of contested and fragmented bilingual education and accountability policies streaming together over a rising Latino and immigrant youth population in schools. I then engage selected literature around bilingual education and accountability systems, putting forth arguments levied for and against particular bilingual and accountability practices, especially as they relate to equity values and orientations. I do this through focusing on three levels of policy studies for both bilingual education and accountability policy streams: State and broader societal level research, institutional and District level inquiries, and school and classroom level studies. In doing so, I discuss various ways contemporary bilingual programs and accountability policies and practices are examined and conceptualized.

I then introduce ethnographically receptive, sociocultural notions of policy analysis. These approaches allow me to articulate a research agenda that links local and negotiated notions of policy to broader state and institutional, or "authoritative" bilingual education and accountability policies. It is in this context that I situate the significance of my study through state, institutional, and local analysis on one axis and bilingual education and accountability policy analysis on the other. I then conclude with a summary and guide for the reader.

**Defining key concepts**

Bilingual Education and Accountability are policy terms that are relatively ambiguous and flexible. Thus, they have remained symbolically useful for various standpoints in the public discourse over a range of policies and practices. It is this mutability to perceptions, value orientations, social status, etc. of different people who use those terms that allow them to remain politically viable and valid in a broad range of contexts (See Edelman, 1986: Smith, 2004). As a qualitatively-oriented researcher, critical policy analysis, narrative analysis, and a focus on language provide tools which are flexible enough to work with theories and results grounded in the data collected at state, district, and local levels. Problematically, when defined, terms limit some nuance and flexibility. Nevertheless, in seeking some clarity and validity for my analysis and discussion, I have chosen to introduce four key points of reference as guides.

***Bilingual education***

At the classroom level, Bilingual Education is a form of instruction that employs a language other than English to communicate curricular content to students. At the

Federal, State, and District institutional levels bilingual education is a set of curricular, organizational, and financial policies generally designed to support native language or English as a Second Language approaches to integrate and monitor English Language Learners, or officially designated Limited English Proficient students, into the regular curriculum. Bilingual education program design includes structured immersion, early-exit and late-exit transitional bilingual education (used in the context of this study), maintenance, and dual language approaches. Often mediated and constructed at the local level, some approaches more amply engage bicultural approaches, while others more narrowly construct bilingual education as simply the delivery of standard curriculum in the minimal amount of native language use (which is Spanish in the context of this study) (Brisk, 1998; Freeman, 1998; García, 2001).

***Educational accountability***

Throughout this dissertation, *accountability policies* are defined as "a set of policies and procedures that provide rewards and/or sanctions as a consequence of scores on large-scale achievement tests" (Hamilton, et. al., 2002) Some of the high-stakes decisions around performance accountability policies include tracking, promotion and graduation (Heuser, 1999). Test scores are used in many circumstances to make performance appraisal decisions of teachers and principals and to hold schools and educational institutions accountable for the performance of students (Klein, et. al, 2000). These accountability reforms emphasize the use of curricular standards, the alignment of professional development and teacher certification requirements to these standards, and forms of evaluation designed to measure and propel schools to meet these state and

federally established performance standards (Ladd, 1996; Ravitch, 2001). Most test-based accountability systems contain goals for desired system and individual performance, provide quantitative measures of performance in relation to the goals, set attainment targets, and provide identifiable consequences (Hamilton, et. al., 2002).

***Critical policy analysis***

Influenced by poststructural and critical perspectives, this approach assumes all policies are normative and seeks to articulate how certain policies come to be lived in local contexts. Critical policy analysis highlights values and view policy documents as "ideological texts which have been constructed in a particular context" (Taylor, et. Al., 1997, p. 43). Taylor et. al. state that the guiding purposes of critical policy analysis are fivefold: to understand the context the policy arises from, to evaluate how policy processes are arranged, to assess a particular policy's content in terms of a particular set of values, to explore whose interest the policy serves, to engage in a struggle over how to participate in policy advocacy, and to examine how policy is implemented (1997, pp. 17-19).

***Discourse***

Discourse speaks to systems of thought that construct subjects and their world. Discourses are practices that systematically construct subjects and the objects of which they speak. Discourses are constituted through ideological, material, institutional and relational means (Farnell & Graham, 1998; Mills, 1997).

**Navigating a policy web: Weaving contested policies Together**

Research and debate in the United States and in the State of Texas around the equity effects of the current sweep of educational accountability systems is voluminous, contentious (Amrein & Berliner, 2002; Hamilton, et. al, 2002; Grissmer, 2000; Ladd, 1996; McNeil, 2000; Scheurich, et. al., 2000; Valencia, et. al. 2001; Valenzuela, 2004). Within this contemporary era of accountability, ELLs (English Language Learners) and immigrant students, often referred to in U.S. Federal and Texas policy documents as LEP (Limited English Proficient) students, are posited as important and increasingly complex "challenges" to educational efforts in the United States. Calls for new research and practice paradigms that explicitly and effectively address the complexities of testing ELLs build on longstanding concerns with assessment validity and equitable use of assessment information (Abedi, 2004; Solano-Flores & Trumbull, 2003; Sánchez, 1954; Valencia & Suzuki, 2001). Until very recently, when mandates in *The No Child Left Behind Act of 2001* (NCLB) required States accepting federal monies to measure and judge the performance of ELL and immigrant students**,** much educational policy discourse and research around accountability systems has paid much less attention to these systems' impact on, and design for, ELLs, many of whom are immigrants (Ruiz de Velasco, 2001; Stritikus & García, 2003). Contemporary bilingual education policies were crafted in the 1960's and 1970's in response to multiple and sometimes contradictory political pressures. Partially, bilingual education policies are an amalgam of responses to different agenda setting efforts over nearly forty years (Kingdon, 1995). Bilingual education has been crafted to: provide equal access to school-based curriculum

(as articulated, for example, in the *Lau Remedies)*, provide effective instruction to English Language Learners, compensate for "language deficiencies", create and support culturally appropriate and engaging curriculum, facilitate rapid transition to all English instructional and societal environments, respond to cultural identity concerns and political stances, prepare a bilingual workforce, and patrol U.S. borders within schools by through the production of English speaking, loyal citizens, to name a few. Played out in the historically state and local-centric U.S. educational policy environment, the various understandings and ascriptions transposed onto bilingual education has meant that bilingual education policies have streamed through a multi-tiered patchwork of federal, state, local, and classroom level policy developments, interpretations, and appropriations (Brisk, 1998; Crawford, 2001, 2002; Cummins, 2000; Freeman, 1998).

Emerging as a contemporary educational policy phenomenon in the 1980's, standards-based educational accountability policies have been layered on top and around bilingual education policies as they became consolidated as the dominant educational reform strategy of the 1990's and early 21st century (Dorn, 1998; Grissmer, 2000; Lipman, 2004; Ravitch, 2001). Currently, accountability systems such as the one envisioned in the *No Child Left Behind Act* are promoted by their supporters as means of achieving efficient allocation of resources, while also providing an equity oriented "agenda that focuses on improving achievement of 'low achieving students in our Nation's highest poverty schools' and assuring that all students make progress and achieve rigorous standards" (*Educational Researcher*, 2002, p. 35). Hamilton, Scherer, and Klein articulate a fundamental assumption underlying test-based accountability

systems' commitment to leveraging reforms that go past the classroom door, a feat most reforms have weakly accomplished, at best (Tyack & Cuban, 1995): "the information and incentives that are built into these systems are not only beneficial but necessary for ensuring that school personnel commit themselves to the goal of improving student achievement" (Hamilton, et. al.,2002, p. 7).

In Texas, testing has been systematically employed since the 1980's, but when the minimum competency-oriented TAAS began to be employed as a high stakes instrument in 1993, it formed a part of a comprehensive accountability system that also held schools accountable for attendance and drop out rates. Some researchers within Texas have written about the beneficial effects of imperfect accountability systems, particularly on children of color. In this argument, accountability systems (not just the testing aspects of them) can drive schools and educators to improve instruction, examine racist assumptions, and to take responsibility for all students, including those that have historically received inferior educational opportunities (Scheurich, et. al, 2000). This equity argument seems to ascribe normatively positive notions to this new educational constitutive gaze, where the State, in coordination with a variety of actors linked to the accountability system, disciplines behaviors of bodies involved in "serving all students," distributes power more effectively and positively to the schools and children that most need it and therefore carries the possibility of normalizing a belief that all children can learn. As a result, these researchers point to specific gains, such as Math TAAS score gaps between African American and white students dropping from 34% in 1994 to 17% in 2000 (Skrla, et. al., 2000).

Other researchers, looking at a variety of assessment data, note selected gains in narrowing achievement gaps and rising, if mixed, achievement for all students (Carnoy,

2000; Grissman, et. al, 2000). Many consider the effects of the educational accountability movement as somewhat mixed, but recognize that those systems are entrenched and politically intractable. Therefore, they call for improvements in the design of inevitably imperfect efforts and call for the incorporation of larger and more diverse sets of evidence of success (Hamilton, et. al, 2002; Ladd, 1996; Linn, 2003). Others speak to the ambiguous results that emerge from "teaching to the test" (Firestone, Schorr, & Monfils, 2004). Still other researchers (Amrein and Berliner, 2002; Kornhaber and Orfield, 2001; McNiel, 2001; Valencia, et. al., 2000; Valenzuela, 2000) have pointed to adverse and pernicious effects and designs that disproportionally impact children of color and immigrant students. Another implication of using strong, punitive reform strategies is the shift in the historically benevolent relationship between local educational entities and the state to one characterized by growing antipathy between local practitioners and state-based policy makers (Loveless, 1998). Other U.S.-based approaches use Edelman's politics of performance theory and Lyotard to interrogate and disrupt assumptions about accountability and school choice and to describe how schooling has become a spectacle in the era of accountability (Anderson, 2002; Miller-Kahn and Smith, 2001, Smith, 2004).

These policies have been strongly articulated in Texas, with the successive implementation of curricular standards (Essential Elements, Texas Essential Knowledge and Skills) aligned with publicly reported assessments ("TEAMS", "TABS", "TAAS", and now "TAKS"). With the technical ability to disperse a wide array of indicators and data through the internet in the Academic Excellence Indicator System (AEIS), Texas has moved to a multivariate system of accountability which continues to include more information on a greater number of students. In 1997, Texas officially introduced the Spanish TAAS for grades 3-6, while in 2000 the Reading Proficiency Test in English

(RPTE) was introduced to capture recent immigrants into the accountability system, leaving only very recent (entered within the last semester) immigrant and ELL students out of the reforming gaze of public accountability technologies (TEA, 2002; Black & Valenzuela, 2004). In theory, this inclusion of all students under the regime of accountability produces productive reforms in schools that are currently held accountable for the performance of all subgroups of students, including ELL students. Given its relatively high-profile, lengthy, and increasingly sophisticated efforts at reform through public accountability measures, coupled with the ascendancy of Texas-linked political leaders to national positions of prominence, the Texas Accountability System has been particularly influential in shaping policy in other states through imitation, export of accountability performance "experts," and through the passage of the No Child Left Behind Act in 2001 (Anderson, 2002; Carnoy, 2001; Haney, 2001).

These policies have intersected in an era of rising Latino and immigrant populations, who with the 2000 census became the largest "minority" population in the United States (U.S. Census Bereau, 2003). As a result, ELL and immigrant students are a larger and more complex part of institutional efforts around the country designed to educate all children, particularly in response to standards-based accountability demands. In this new policy environment, new voices call for research and practice paradigms that explicitly and effectively address the complexities of testing and monitoring ELLs while articulating longstanding concerns with assessment validity and equitable use of assessment information (Abedi, 2004; Solano-Flores & Trumbull, 2003; Sánchez, 1954; Valencia & Suzuki, 2001).

## RESEARCH DEBATES AND AXIOLOGICAL DANCES: BILINGUAL EDUCATION

### Bilingual Education as Federal and State policy

Much research on bilingual education approaches has focused on establishing a rationale for transitional approaches to bilingual education and on the pedagogical methods used to help bilingual education students in the classroom. For example, important research has focused on the ways native language development facilitates the acquisition of the native language, a type of facilitation theory (Cummins & Skutnab-Kangas, 1998). Others articulate the need for bilingual education strategies that provide "comprehensible input" that allow for students to scaffold their language acquisition, a type of zone of proximal development for language (Krashen, 1983). Other commentary has focused on destabilizing support for bilingual education. For example, critics respond by saying that students with non-alphabetic languages do well with ESL approaches without the need for native language transition (Rossell, 2000).

Critical sociological studies have looked at discourse and power around immigrant and ELL students in the society and classrooms (Cummins, 1995), while others take multifocal approaches to deconstruct the ideology of the English-only movement (Dueñas-Gonzalez, 2001). Several studies have evidenced that the length of time immigrant youth are in the United States is negatively associated with such indices such as psychological health, GPA, and aspirations (Súarez-Orosco & Súarez-Orozco, 2001, p. 20). Scovel (2001) points out that broader discourse around language acquisition, the "earlier is better myth," which posits students learn a second language better and more completely the younger they are, is deeply flawed, yet exerts much

inappropriate influence on the discourse and practices of bilingual education program development and implementation.

Particularly important to the development and support of dual language programs are results from the Canadian dual language programs that immerse native English speakers in French content environments (Freeman, 1998, p. 5). As a result, these programs do "status planning", that is, they plan to consciously elevate the status of the minority language, as students and the immigrant community are acutely aware and sensitive to the assimilationist "marking" of their native language as inferior (Cummins, 1995). Despite "apples to oranges" methodological problems, several longitudinal meta-analyses suggest students in dual language and maintenance programs outperform students in transitional and immersion programs as measured on various standardized tests over time. The effects size differences increase dramatically in Middle School and continue through high school (See, for example, Thomas & Collier, 1996). Critics point to their disaggregated data analysis that demonstrates little difference in performance effects for transitional bilingual education versus ESL approaches (Rossel & Baker, 1996). Salazar (1998) argues that "effectiveness" research that examines the merits of different program designs over time often suffer from Type II errors and that the U.S. Department of Education should require uniform evaluation designs from all Title VII projects, while also assuring that each program is uniquely evaluated.

**Bilingual Education program models**

Bilingual education models can be roughly categorized in four categories: transitional, maintenance, and enrichment models. Transitional models encourage

bilingual education programs to shift instruction to the majority language systematically over a period of 2-5 years in order to be quickly incorporated into the majority society and to have access to English-only curriculum. Spanish or native language instruction is combined with ESL approaches. However, in contrast, advocate organizations such as NABE point to research that shows that it takes 5-7 years to develop academic proficiency in the second language, English (Brisk, 1998, Krashen, 1983). Transitional bilingual education is most common in Texas, and most schools transition immigrant/ELL students who begin study at Pre-K or Kindergarten anywhere from second to fifth grade. Early transitional bilingual education programs transition students to all English instruction anywhere from 1st to early 3rd grade, while late transition programs move students into all English instruction anywhere from 4th to 6th grade (Brisk, 1998). Currently, most students that do receive some language support in the U.S. are either in transitional bilingual models (most common at Elementary levels in Texas) or in pull-out ESL models, which are most common at the secondary level. Freeman (1998) reminds her readers that "in both the transitional and the pull-out ESL models, the native language of the LEP student is implicitly defined as a problem that needs to be overcome in order for the student to participate equally in the classroom. By extension, the LEP student is implicitly defined as a problem that needs to be corrected" (p. 67).

Maintenance models seek to have students maintain their native language and cultural capital and thus maintain at least some native language instruction throughout the schooling process. Dual language, or two-way bilingual, or two-way immersion enrichment programs have recently gained pockets of adherence within the U.S.,

although they have long in use in many other parts of the world and within elite educational circles. They encourage the development of minority languages at the individual and community level and they often have instruction heavily oriented toward the minority language in the early years of the program (Freeman, 1998).

**Effectiveness research**

Other areas of research bilingual education relevant to this study focus on program design and effectiveness with linguistically diverse students (Brisk, 1998; García, 2001; Vásquez, 2003). In response, advocates claim that "bilingual education" has not only been misrepresented consistently, but it has been attacked for inconsistent results and blamed for broader social problems while simultaneously suffering from a lack of funding, poor implementation, or abandonment (Crawford, 2001; Dueñas-Gonzalez, 2001; Trujillo, 1998). Advocates have held that properly implemented bilingual programs have shown success as measured by standardized test scores, as well as a variety of cognitive measures (Crawford, 2001; Cummins & Skutnabb-Kangas, 1998; Krashen, 1996).

Other studies have been concerned with extended segregation of students in transitional bilingual and ESL contexts, where students have no native language peer models (Freeman, 1998). The program design research has been taken up by linguists, who focus on how student's function cognitively in a second language environment. For example, some research focuses on how bilingual programs can work with developing English academic language. Cognitive development should occur moving by students from cognitively undemanding, heavily context embedded pedagogical activities to less

context-embedded to cognitively demanding activities to finally, context reduced, cognitively demanding opportunities (Cummins, 1984).

Critics have said that there is no evidence that bilingual education works, particularly as measured by high-stakes test results. Rossell (2000) claims that thirty years after the beginning of federal support of bilingual education, "there still is no consistent evidence available to support bilingual education as the best means for LEP children to learn English and other subjects that they will be tested on in English, or any agreement o the definition of the target population or bilingual education" (p. 215). She concludes that the tests and procedures used to classify students as LEP are deeply flawed, and that "the quality of the research in this field is terrible" (p. 240).

**School-based qualitative studies around bilingual education: students at sociocultural borders**

Some school based studies illuminate alternative bilingual schooling approaches which are critical, successful, and based in Latino epistemologies. They show how schools can develop a type of institutional will that builds and extends on the students and community's assets. Freeman's (1998) work at the Oyster bilingual school in Washington looked at comprehensive and sustained effort at dual language education that was asset based and consciously in opposition to assimilationist norms. In this school, language, class, and cultural lines cross in a pedagogical borderlands. In addition, studies of schools like El Puente academy in New York manifest how Latino-based critical epistemological approaches can lead to community based schooling which also produces

outcomes highly valued in the broader society, like acceptance of graduates to Ivy League schools (Pedraza, 2001).

In a similar vein, research from the Llano Grande project in South Texas, demonstrates how a critical 'pedagogy of place" approach installs cultural and native language competence, and values critical thinking while still educating Latino immigrant students that perform well on the standardized tests and gain entrance to elite Universities (Author interview with Miguel and Fransisco Guajardo, Directors, April, 2003). Other asset based studies show how schools generally regarded as "at risk" because of their location on the U.S-Mexico border, high migrancy rates, and large amounts of LEP students can and do outperform middle class schools in a variety of indicators, including standardized tests (Reyes, Scribner, & Paredes-Scribner, 1999). Other studies show possibilities of melding research with participatory action research practice in creating a program of "clase mágicas" which extend the school days, provide bilingual support in integrating computer competency, and extend language and culturally based pedagogy (Vásquez, 2003).

Another approach is to document the complex, contradictory, and negative effects schooling has on bilingual and immigrant youth. In a long-term ethnography, Valenzuela (1999) documents how the longer immigrant and Latino students were in a particular school district, language and cultural assets were subtracted from them, leading to student's failure, alienation and unrequited desire to have meaningful, loving relationships with school personnel. Olsen's school-based study examined immigrant high-schoolers and the racialized geography of schooling they entered into and

participated in. Olsen showed how students in a multicultural school adapted to and negotiated cultural and institutional borders, while providing insights into how Madison High was linked to state and national ideologies and policies (Olsen, 1997). Other studies document the importance of social networks in providing students social and cultural capital necessary for adaptation and resiliency (Súarez-Orosco & Súarez-Orosco, 2001; Stanton-Salazar, 2001). Cade demonstrates how a life history ethnography of the various stories impacting the life of an immigrant student in a small midwestern town reveals the importance of situational contexts in policy implementation. She calls on "policymakers to consider the importance of the knowledge gained from such studies, particularly in light of changing demographics and regional notions of best practices for immigrant education" (Cade, 2001, p. 219).

## RESEARCH DEBATES AND AXIOLOGICAL DANCES: ACCOUNTABILTY

### State and local tensions standards-based educational accountability reforms

In discussing the emerging modern accountability systems, Loveless warns of oncoming tension between local and state institutions in ways that had not been manifested previously. He contends: "if the federal government is to hold state and local educators accountable for academic results, the educational bureaucracy will experience internal strains heretofore unforeseen." (Loveless, 1998, p. 6) He continues:

> Moreover, in both narrowing the aims of schooling and stressing educator's accountability in attaining them, new opportunities are provided for activist groups to apply political pressure. The accountability movement seeks to articulate clear educational goals, to define how they are measured, to identify who is responsible for making progress, and to reward success. These are political acts. (Loveless, 1998, p. 6)

Others predict that school people might use traditional political forms like the ballot box and organized groups to resist what they claim is unwarranted government intrusion and control. As a result, analysts will be forced to get to know schools rather than to take more economic or traditional policy perspectives on them (Loveless, 1998). Given the bluntness of accountability policies and the complexity and dynamism of the issues that surround the policies, it is not surprising that research about accountability, testing, and educational equity is disparate and contested (Firestone, Schorr, & Monfils, 2004; Scheurich & Skrla, 2004). In the next section, I briefly describe some of the advocate's research and critic's position toward accountability systems, particularly as they relate to equity issues.

**The equity benefits of educational accountability policies**

Currently, accountability systems that had been stationed at the state level are now incorporated in the federal No Child Left Behind Act of 2001. At these multiple levels, they are promoted by their supporters as means of achieving efficient allocation of resources while also providing an equity oriented "agenda that focuses on improving achievement of 'low achieving students in our Nation's highest poverty schools' and assuring that all students make progress and achieve rigorous standards" (Educational Researcher, 2002, p. 35). As such they promote equity. Researchers within Texas have written about the beneficial effects of imperfect accountability systems, particularly on children of color. In this argument, accountability systems (not just the testing aspects of them) can drive schools and educators to improve instruction, examine racist assumptions, and to take responsibility for all students, including those that have historically received inferior educational opportunities (Scheurich, et. al, 2000). This

equity argument seems to ascribe normatively positive notions to this new educational constitutive gaze, where the State, in coordination a variety of actors linked to the accountability system, disciplines behaviors of bodies involved in “serving all students”, distributes power more effectively and positively to the schools and children that most need it, and therefore carries the possibility of normalizing a belief that all children can learn.

The discourses from supporters of accountability systems point to their "publicness", relatively understandable function, and their ability to leverage positive change for all students. Some current research has noted positive, but mixed effects. They posit:

> -The accountability systems such as the one in Texas perform a management function that allows public stakeholders to judge classroom and school performance and quality. As such the policy supports the democratic aims of schooling.
>
> - In the discourse of policy, it is seen as a relatively inexpensive intervention, even at $330 million in 2000, in comparision with the larger cost of education and widespread educational reform. Even if the evidence is clear that teachers reallocate their time away from certain subject areas, such as science or history, “advocates of accountability argue that this reallocation is actually beneficial because it means that teacher time is spent on the ‘important’ content and skills (Hamilton, et. al., 2002, p. 9).
>
> -The public exposure of scores of all student subgroups, drop out rates, and minimal standards for attendance challenges endemic and systematic problems

with low expectations, poor pedagogical practices, and unresponsive and unprofessional educators.

-High-stakes, standards based reforms signal important content to teachers, identify learning that is below what is expected of students, prompt citizens to bring pressure on ineffective schools, and facilitate the targeting of resources to schools that are in trouble (Stecher, 2002, p. 82).

-Evidence of high poverty, high minority, and yet high performing school districts destroy racist and harmful myths of low performance of minority student groups and offer powerful examples from which other schools and districts can learn. As such state policy can be leveraged to support antiracist impulses and policies (Reyes, Scribner, Paredes-Scribner, Skrla, et. al, 1999).

-A return to locally controlled, non-standard practices means a return to conditions of massive inequality that the accountability system helped expose. The high-stakes portion of the system holds schools accountable for the performance of all students and therefore leverages behavioral changes at the classroom level. The presence of the state in monitoring performance for all students provides pressures for attention to the performance of schools that serve children of color and as such perform a new civil rights function, similar to the 1960's (Scheurich, et. al, 2000). As such, some advocates for bilingual students exhorted the state to include all LEP students in the high-stakes accountability systems, articulating a new civil rights mantra of "equal access to mandated testing" (TEA, 2000).

-Across the board rises in all students' performance and the narrowing of selected achievement gaps between identified student sub groups manifest that output based reforms do work. In Texas, researchers point to the fact that Math TAAS

score gaps between African American and white students dropped from 34% in 1994 to 17% in 2000 (Skrla, et. al., 2000). Others point to selected gains in narrowing achievement gaps and rising, if mixed, achievement for all students, looking at a variety of assessment data (Carnoy, 2000; Grissman, et. al, 2000). Others note improvement in student performance in various ways, and point to the importance of the power of the system that uses ratings, disaggregated data, and clear curricular standards (Fuller & Johnson, 2004). Many consider forms of success of educational accountability as somewhat mixed, but inevitable and thus efforts need to be made to improve upon existing efforts that are imperfect at best (Ladd, 1996).

**No child left untested: Critical responses to educational accountability reforms**

Responding to claims that accountability systems have been instrumental in producing a rising sea of performance for all students, including narrowing the achievement gap between different groups, many researchers have pointed to either mixed effects or sought to illuminate non-publicly reported pernicious intent and effects of high-stakes educational accountability systems. These arguments range from more technical analyses to foundational inquires and include:

- Several researchers have argued that other test scores, such as the NAEP, the ITBS, and the SAT have not evidenced similar growth trajectories to the TAAS over the last decade, as studies of correlation between achievement gains on state-level high-stakes test scores and NAEP scores have been mixed- partially a result of the complexity and limits of the analysis (Amrein & Berliner, 2002; Haney, 2001). Muller & Schiller (2000) found that "rather than leveling the playing field,

the consequences of some policies may be to amplify and attenuate stratification." However, even when stratification increases, the attainment of all students may improve under some conditions (p. 24, citied in Skrla & Scheurich, 2004, p. 4). Klein, et. Al. (2000) found that as TAAS scores were increasing in Texas, there was not a better-than-average improvement in the state's NAEP scores and that the gap between White students and students of color was not closing on the NAEP. Thus, the validity of TAAS as an independent measurement of student performance may called into question. Amrein and Berliner (2002) also found mixed results in terms of performance effects on the NAEP and other indicators in states with various intensities and stages of high-stakes testing implementation.

-Critics often propose a reduced use of tests, lessening of the punitive high-stakes nature of accountability systems, and more classroom and local control of the curriculum. They articulate a more student-centered perspective, rather than top-down curricular-centered approaches that are promoted in accountability regimes (Hoff, 2004; Valenzuela & McNeil, 2000).

-Researchers (Kornhaber & Orrfield, 2001; McNeil, 2001; Valencia, et. al., 2000; Valenzuela, 2004) have pointed to adverse and pernicious effects and designs that disproportionably impact children of color and immigrant students. This is particularly relevant when high-stakes tests are used for graduation and promotion purposes and serve to push students out of school. To cut failure rates, evidence is emerging of schools sheding, or pushing out students (Lewin & Medina, 2003; McNeil. 2004).

-Others have used a politics of performance theory to interrogate and disrupt assumptions about accountability and school choice and to describe how schooling has become a spectacle in the era of accountability. In this case,

administrators and teachers enact policies to increase and publicize test scores without increasing knowledge or learning, and cutting out culturally and linguistically diverse approaches, including bilingual education. (Anderson, 2002; Lipman, 2004; Smith, 2004; Stritikus & García, 2003).

-Tests are used in a manner (as high stakes policy instruments with punitive consequences) for which they were not originally designed (Heuser, 1999). Test performance becomes the almost exclusive aspect of education that "counts", to the detriment of a wider vision of education. The curriculum becomes narrowed to focus exclusively on the test. This is particularly evident in schools with large amounts of students that are minority and on the edge or "bubble" of passing.3

-The policy overemphasizes tests without equalizing inputs- structural inequalities in funding, teacher quality, facilities, etc: opportunities to learn are not addressed sufficiently with these policies (Valencia, et. al, 2000).

-Focusing decisions and policies on the result of one indicator encourages a simplistic view of education at best, and in practice leads to the denial of opportunity for students to showcase what they have learned and are capable of learning through a multiple compensatory criteria system (Stecher, 2002; Valenzuela, 2002).

-Student drop out rates are increasing and many students are sometimes intentionally retained at the 9th grade so as to not effect the accountability rating of selected schools. The Latino High school completion rate (in four years) continues to hover around 50%, despite 10 years of accountability system implementation in Texas (Haney, 2000; McNeil, 2004).

3 The term "bubble" kid has now become part of the educational lexicon. It serves to describe students that are on the "bubble" or margin of passing tests. Schools find it most efficient to focus their remedial efforts on these students- critics claim to the exclusion of high and low performing students.

-The policing of schools has narrowed the curriculum, particular in schools inhabited by students of color that are most under pressure to succeed on the high-stakes tests. This constitutes a new form of test-inspired institutionalized racism (McNeil & Valenzuela, 2002).

-Critiques of the immense amount of time spent preparing students for exams through a series on ongoing evaluation are also emerging (Fairtest, 2002).

-There is another critical line of research which connects market and privatization ideologies to school accountability reform. In this analysis, actual "progressive reform" through accountability is an illusion that is managed by the state and District and administrative officials through a politics of performance (Anderson, 2002, Apple, 2001). As such, accountability and the combination of state imposed high-stakes standards in with local control is a conservative response to a Habermasian crisis of legitimacy. It also functions to individualize and promote consumptive ideologies and possibly open to door to voucher programs (Hamilton, et. Al, 2001; Valenzuela, 2004). This argument is laid out in Ball's analysis of performance-based reforms in England (Ball, 1994, p. 10):

> the use of performativity and target-related funding as a form of control, linked to the localized, productive and capillary power of 'the manager', presents a solution to the problems of ungovernability: that is, government overload, which allows the state to retain considerable steerage over the goals and processes of the education system (while appearing not to do so). It appears to give greater power to all parents, while systematically advantaging some and disadvantaging others, and effectively reproducing the classic lines of the social and technical division of labour. It plays its part in the reformulation of citizenship, as the mode of consumption is generalized. And it serves to generalize further the commodity form, a basic ideological building brick of capitalist culture and subjectivity. The emphasis on individualized and privatized family life is ramified, and the collectivist orientation weakly articulated within comprehensive education is sidelined.

There are many other critiques levied at the tests and accountability systems that lead one to conclude that it may set the stage for privatization efforts as they provide technology and language for crisis played out in a context of limited support for public goods (Anderson, 2001; Apple, 2001; Valenzuela, 2004).

**Accountabilty and school-based studies**

One survey of high-school principals found that they found the principals responded to perceived effectiveness of high-stakes standard systems in relatively "neutral" fashions, but that they clearly saw their impact on their already hectic time demands and that the systems made their jobs more stressful (Weichel, 2003). A study of principals perceptions of the North Carolina's ABC accountability system noted mixed positive and negative perceptions of the effectiveness of accountability led reform. Of particular interest was that principals did disagree with to elements of the system the removal of principals from their posts, and the view that tests are a good measure of curriculum mastery. Interestingly, only 25% of principals serving in schools with high percentages of poor students agreed that testing was a good indication of learning and growth, while 58% of principals in schools with more affluent students agreed (Ladd & Zelli, 2003).

There is a small base of studies on school district leadership that have shown how district leaders found that state accountability system in Texas changed district level leadership, expectations, behavior, and ultimately changed the structure of success in their school systems to the benefit of all students (Fuller & Johnson, 2004; Scheurich, et. al, 2001). Other studies drew on institutional theory to show how district level leadership

could work within accountability policy environments in North Carolina and Texas to create district-wide expectations and practices that supported equity goals and practices for all students (Rorrer, 2002). However, these have not been long-term, classroom based ethnographic studies. Other studies, (Sloan, 2004) demonstrated that effective and comprehensive responses to accountability pressures gave way to district initiated narrow, pressure-laden, and skilled based approaches as a performance culture became embedded in a district response to high-stakes accountability. In other words, the district moved from a comprehensive, authentic pedagogical response to a ratings focused response.

Smith (2004) studied the effects of high-stakes testing on ordinary practice in Arizona, while others have conducted observations and interviews at exemplary schools to examine how "the most respected administrators and teachers were reacting to testing mandates (Stecher, 2002, p. 85). In studying the 'effects' of the policies at the classroom level, it becomes very difficult to combine positive and negative effects to produce a judgment of its overall net effect. Some research indicated that these systems have provided more instructional time and have pushed teachers harder to cover more material. Test results were shown to be useful in showing strengths and weaknesses of students in individual schools and in focusing additional resources, in a proactive redundancy of efforts to improve the performance of low performing students (Scheurich, et. al., 2000). Others have been more ambiguous, showing how teachers reallocate time to tested subjects, resulting in measurable declines in non-tested subjects and coaching students to do better on a test (Stecher, 2002, pp. 88-92). Recent negative research has focused on

how students are held back in 9th grade so that they can then be placed in 11th grade so as to not sully the reputation of the school by taking the 10th grade high-stakes test (McNeil, 2004). Much research at the classroom level has focused on changes of the curriculum at the classroom level, a change that Hampton (2004) describes as a sterilization process, a type of curricular drought (Stecher, 2002). Shepard and Dougherty found that many teachers in high-stakes districts encouraged students to find errors in writings, rather than to produce their own. McKenzie (2004) found that one of the disturbing consequences of testing at the campus and classroom level, as it interacted with traces of racist ideology, was the villianization of students who do not perform well on the test. The students were also cast by the teachers in her study as the ones who kept them, good teachers, from looking like successful teachers. In order to capture the complexities of accountability, Stecher argues that it becomes "helpful to differentiate among responses to high-stakes testing at different levels of the educational system" (2002, p. 88).

### STUDIES LOCATED AT THE INTERSECTION OF ACCOUNTABILITY AND LANGUAGE POLICY

There are a few studies located at this intersection of policies. Alamillo, et. al, (2004) examine the role of high-stakes testing in English in California and conclude that responses vary based on culture and ideological position towards language policy that existed in the schools studied before the passage of the anti-bilingual proposition 227 in California. In the school sites that have preserved bilingual education through the pursuit of parent signed waivers, as well as in those that have effectively dismantled their bilingual programs, the increased frequency of assessment in English, including the high-stakes testing of all children in English, have resulted in more English curriculum and

instruction. There are both discourses and material practices that encourage teachers to transition students to mainstream English, in order to raise test scores. This leads to a reduced quality of learning. Validity concerns with the use of high-stakes tests for ELL have been presented in Texas (Valencia, 2002) and California (Thompson, et. al, 2002). These concerns have included the language of the test, sample selection, and data analysis decisions. Thompson, et. al. argued that even though overall scores for all students increased after the passage of Proposition 227 in California, the achievement gap between LEP and English proficient students did not narrow, suggesting rising sophistication with test preparation strategies rather than "authentic" learning may be at play. Thompson, et. al's article was also embedded in the larger ideological debate about bilingual education and served as a rebuttal of English-only advocate's positioning of proposition 227 as a success.

A Texas Education Agency Policy Report (1997) titled *Academic Performance of Elementary Students with Limited English Proficiency in Texas Public Schools* found that economically disadvantaged students had lower TAAS passing rates than non-economically disadvantaged students. Regardless of English proficiency, Latino students had lower passing rates than non-Latino students among both LEP and non-LEP students. In this state-wide quantitative analysis, mobility, retention, lower attendance, and campus poverty were all correlated with poorer performance for both LEP and non-LEP students. They also found that LEP students performed better on the Math test, which is less language dependent than the reading test, and that LEP students who attended pre-k had higher Grade 5 TAAS passing rates than those that did not. There was evidence of high growth of performance between the first time and the second time a LEP student took the TAAS test in English, and that LEP students who were still in bilingual education or ESL programs had lower TAAS passing rates than those students who had exited the program.

A recent study sponsored by the *Dallas Morning News* found that schools in Texas serving large numbers of minority students and ELL students had fewer well prepared teachers, as measured by a teacher preparation index. They also found that the higher a school is rated on the state's accountability scale, the higher the teacher preparation index tended to be, thus disproportionably negatively impacting ELL students chances at success on the TAKS (Benton, August, 2003).

Acker-Hocevar, et. al (2003) found in their Annenberg funded engagement with school reform in schools with high SES populations in Florida that robust expectations and high-sense of collegial responsibility were crucial. This is similar to studies done on the Texas-Mexico border (see Reyes, Scriber, & Scribner, 1999). However, they state that their

> study reaffirms that educational reform must be grounded within individual schools and classrooms that need increased autonomy from external domination, particularly domination based on fear…Ironically, while local autonomy is a requirement for school effectiveness, we find that schools that do not meet externally imposed standards of achievement are indeed the ones most straddled with external domination and little ability to negotiate external controls. (Acker-Hocevar, et. al, 2003, pp. 49-50)

They argue that in Florida low performing schools with high LEP populations are the subject of technologies of "tightening the screws" that ignores many other variables that make schools successful and is conceived narrowly within a technical and rational top-down system of control. This aligns with a series of meetings held around the country with Latino administrators, teachers, and community members sponsored by the National Latino Education Research Agenda Project which found that there was tremendous concern with the limitations placed on Latino schools by the high-stakes accountability system and called on critical, participatory action research to both critically examine accountability at local sites and to provide alternative, community based accountability

alternatives, so as to insert expanded, Latino based notions of accountability into the national discourse (See Padilla, 2004, Pedraza, 2001). Stritikus and García found that the additive or subtractive theoretical (discursive) orientations that teachers held toward ELL students had an enormous influence on how policies are reconstructed at the local level. For instance, additive orientations found in dual language immersion schools reconstructed and negated Proposition 227 policies in California, while in other school contexts theoretical or ideological orientations held by the teachers did bolster the subtractive orientation and techniques embedded in the policy (Stritikus & Garcia, 2003).

### SOCIOCULTURAL NOTIONS OF POLICY

In order to examine high-stakes accountability and bilingual education policies as lived, cultural phenomena, I turned to sociocultural notions of policy for my study. These approaches assume that policies are normative, value-filled and as such, often contain tensions and contradictions embedded in them (Ball, 1994; Tyack & Cuban, 1995). Contradictions have been noted in accountability policy (Hamilton, et. al.; McNeil, 2000; Skrla & Scheurich, 2003) as well as bilingual policies (Brisk, 1998; Freeman, 1998). Looking at the tensions and incoherencies in the policies around accountability for ELLs, the push for "equal access to mandated testing", provides insight into structural problems, and micropolitical struggles inside the state itself through advocacy coalition formation and insertion (Ball, 1994; Sabatier & Jenkins-Smith, 1993). I examined some contradictions in my analysis of policy, not to "blame" certain actors, but rather display how educational practitioners and policymakers navigate policies not simply through technical and value neutral paths, but rather through conflicted, value-laden, and political sets of discourses and practices.

As a critical policy analysis, this study seeks to critically frame education as a moral, normative field in which I investigate both the ways in which key terms are used and the ways policies and practices are consistent with a historically-informed moral vision of education for ELL students. New ethnography and critical policy analysis call for the provision of contextual details and the incorporation of values in analysis, which serve to deconstruct power-averse notions of policy as an ahistorical allocation of values reached in a neutral consensus building process (see for example, Apple, 2001; Ball, 1994; Lipman, 2004; Saukko, 2003; Valenzuela, 1999). Taylor et. al. state that the guiding purposes of critical policy analysis are fivefold: to understand the context the policy arises from, to evaluate how policy processes are arranged, to assess a particular policy's content in terms of a particular set of values, to explore whose interest the policy serves, to engage in a struggle over how to participate in policy advocacy, and to examine how policy is implemented (1997, pp. 17-19). All of these concerns apply to the intersection of accountability and bilingual education policies, such as the Spanish or English TAKS and the RPTE, and to the analysis of state level policy formation, implementation, and evaluation that are evidenced in chapter 6.

Ladkoff (2001) also states that critical legal studies and critical race theory have centralized the study of narratives in learning how the law is understood and functions. She states that critical legal scholars "argue that laws do not get their meanings solely from their authors at the time they are encoded, but rather that meaning and applicability of any statute evolves with time, to fit the requirements of a continually changing culture" (p. 81). As such, meanings of laws and policies are mutable as they are transferred across contexts. This also implies that often nondominant groups have different experiences with laws and authoritative policy than the majority group and that race, class, and gender are brought to bear on laws and policies (Ladkoff, 2001, pp. 81-

82). Narratives and ethnography can then serve to illustrate unequal effects of laws and to deconstruct notions of the efficacy of impersonal, generic policy. So a major part of the analysis will be to show inductively how ideologies around English Language Learners are reflected in policy documents that deal with ELLs and accountability.

As Saukko relates, experience is shaped by social discourses, and by the historical and social context in which it is located. Thus in order to capture the dimensions of this experience, different methodological approaches are needed, including discourse analysis and historical research. I want to convey "the subtle texture of a unique or 'singular' lived experience and, at the same time, make it speak for the 'universal', that is, to pinpoint some crucial dilemma of our contemporary social world" (Saukko, 2003, p. 7). Despite my engagement with the discursive turn in the social sciences, I, like Stephen Ball, envision my analysis as still embracing critical modernist notions of agency which view agendic actions by individuals and institutions as materially important (Ball, 1990b, 1994; Freire, 2000; Foley, 2002). If policy analysis is envisioned as possessing a recursive dynamic, then local actors impact, shape, and appropriate policy in ways that is described in some of the new institutional theory literature. New institutional theories view institutions not as black boxes, but rather articulate the "consensus that institutions play a key role in shaping collective action", often in response to efficiency oriented policies or even in contrast to majority held assumptions around ELL and "othered" students (Rowan & Miskel, p. 359). For example, Rorrer (2002) found that District leadership and institutional arrangements made a difference in commitment to social equity goals and performance of subgroups of students, as did a study of highly effective schools on the Texas-Mexico border (Reyes, Scribner, & Paredes-Scribner, 1999). Alamillo, et. al (forthcoming) and Stritikus and García (2003) find in their research on California schools that leadership, work norms, and teacher theoretical orientations

toward ELL students in different schools in place before the passage of proposition 227 (which severely restricted bilingual education practice) greatly effected subtractive or additive orientations towards ELL students after its passage.

Ball (1992) explores a dual notion of policy as text that allows for agendic readers to interpret policy texts in a variety of ways while nevertheless experiencing policy as a type of discursive field. This latter notion indicates that power relations play a role in framing all interpretations of the policy text and runs askew to linear, top-down managerial perspectives often imbued in policy analysis. This use of policy analysis has the potential to open possibilities to use ethnographic, rich accounts of educational policy that move beyond the silences of neutrality and shows how local actors encounter and mediate contradictions in a policy instruments around ELL youth in schools.

In these myriad ways policy is a type of "normative decision making" that is woven into everyday life, so that when educational leaders, teachers, and students interpret and make decisions, they are also participating in the policy process (Levinson & Sutton, 2001, p. 3). When discussing policy as a concept in critical policy analysis, Taylor et. al. (1997) believe that "since policies are part of a social environment, they can be expected to be ignored, resisted, contested or rearticulated to suit local circumstances" (p. 7). In chapter five I analyze the various ways bilingual education and accountability policies are lived in the lifeworld of a school as well as in the bodies of ELL youth participants in this study. This critical-historical approach to policy analysis is important as the RPTE and other accountability policies aimed at bilingual and immigrant youth are not implemented on a societal and institutional tabula rasa, but rather are implemented in a broader U.S. context that subverts the idea that immigrant or indigenous languages are intrinsically valuable to the construction and stability of communities and the nation-state (Aparicio, 2001; Gonzalez, 1997; Valdés, et. Al, 2001).

## SIGNIFICANCE OF STUDY

My study seeks to explore not only a gap in the literature, but a gap in the knowledge base around ELL students. This study will contribute to the long line of studies on immigrant and LEP students, who are an increasingly important and complex challenge in the era of accountability for all students. Súarez-Orosco & Suarez-Orosco strongly argue that for the study of immigrant children, "multilevel, interdisciplinary studies are needed because single-factor studies seem doomed to reduce extremely complex processes to disciplinary clichés" (2001, p. 21). They also articulate that studies need to capture such factors as the experience of schooling in the sending country and previous psychological health, factors that are typically ignored. They state: "how public opinion and general attitudes toward immigration affect the children of immigrants has been neglected in the scholarly literature" (p.21). This study thus attempts to provide rich, deep description and analysis of policy processes as they impact individual students and a school within a particular district, which can be used to inform decision-making at the campus and district level, particularly in planning the articulation of a district's bilingual education policy that recognizes that bilingual education policy is articulated in a way that that responds to accountability pressures. Critical leadership that appropriates beneficial information, lines up supports for congruent reform, embraces complexity, and mediates harmful effects is as cogent as ever (Fullan, 1991). Changes in accountability policies demand intelligent, flexible, agendic organizations (Morgan, 1998; Rorrer, 2002) in which theories embedded in policies are critically examined in order to appropriate those policies in emancipatory ways without ignoring understandings from contextual and structural analysis (Giroux, 1997). In addition to providing a sociocultural analysis of ELL and accountability policy discourse and practice, this study has implications pertinent to school leadership and organizational behavior.

## SUMMARY AND GUIDE FOR READER

In this chapter, I have attempted to situate my study within the larger societal context and within the policy webs that are currently being negotiated by ELL youth and schools and Districts that serve them. I provided a brief discussion of contested notions around those policies and the types of research that are often undertaken in those areas. I also positioned research at the intersection of accountability and bilingual education policies, which, like my study are particularly interested in the impacts, effects, and negotiations of those policies at the local level. In the next chapter I introduce and analyze the historical, demographic, and local context of the school and state-based portrayal and analysis that are contained in chapters five and six.

# CHAPTER THREE

## Methodological Considerations

### INTRODUCTION

"So, Mr. Black, what is it that you are doing here?" A parent at Márquez Elementary asked me this question one day. A few days later, as I sat in a room at TEA for the Accountability Task Force Meeting, the Texas Director of Accountability stopped the meeting after seeing me take down notes and asked me what I was doing there. Did I work for a State Representative? In this chapter, I discuss what I was doing at both of those locations and how I was doing what I was doing. I discuss the methods I used to collect and analyze text or data, as well as the frames of inquiry that guided the interpretations and implications I afford to readers. By methods I mean practical 'tools' that help me make sense of the phenomena I study, whereas frames of inquiry refers to a wider set of "tools and a philosophical and political commitment that come with a particular research 'approach'" (Suakko, 2003, p. 8).

I begin the chapter with a statement of the purpose of the study and the guiding questions for the research. I introduce my methodology- the important theoretical and analytic engagements that framed what I saw, the type of information I collected, and the type of analysis and interpretation I utilized. I then focus on method: the tools I employed during the seven month school-based data collection period. My originally proposed study changed slightly as a result of what I encountered in the course of the study. This was not unexpected, as flexibility is a hallmark of qualitative studies in educational settings (Glesne, 1999; Hatch, 2003; Valenzuela, 1999). Subsequently, I discuss how the purpose, frames, and guiding research questions evolved during the course of the study.

In this chapter I present a critical, socio-cultural approach to policy analysis that uses historical and contextual information (Chapter four). This approach attempts to document competing and multiple discourses that reside in policy texts and practices in localized micro-political environments (in this study, Márquez Elementary, as documented in chapter five), while exposing linkages to broader "authoritative" state and institutional policy discourse and practice (chapter 6). I discuss how I analyze and report my data in an attempt to provide this kind of analysis.

English Language Learners in this age of accountability-led reform live in and embody a complex, tense, and contradictory policy web (Kerper-Mora, 2002) that this study partially documents and analyzes. Given this scenario, I write briefly about how I struggled to (and will continue to) find ways to represent the implications of the study in a manner that does not fall into the trap of facile policy recommendations that erase complexity and nuance. Yet, I also did not want to surf the poststructuralist wave so avidly as to find myself metaphorically out to sea, removed from landed students, educators and policy-makers I encountered in the study. So at the end of this chapter, I reflect on how the methodology I chose influenced my representation of the study as a context-specific analysis of local culturally mediated tensions and contradictions that hold different sets of implications for students, educators, and policy makers.

## PURPOSE OF THE STUDY

The project proposed producing a process-oriented inquiry of the ways multiple levels of assessment and language policies intersect in the lived experience of three immigrant students who are English Language Learners (ELLs) at Márquez Elementary. It explores analytic links between policy as appropriated, negotiated, and implemented at the school context students inhabit and policy as conceptualized, developed, and

implemented at broader institutional and state levels. To do so, I used school-based ethnographic approaches and critical policy analysis to explore discourse and practices in a school culture where ELL students outperformed their District and State counterparts. During the course of the study, the student participants and their peers were subject to Texas Accountability System evaluations such as the Spanish and/or English Texas Assessment of Knowledge and Skills (TAKS) and the Reading Proficiency Test in English (RPTE). Additionally these students were subject to District-based, accountability system fed interventions such as Instructional Planning Guides (IPGS), practice TAKS tests, District benchmark assessment, as well as additional local assessment of individual elements of the tested state curriculum. I focused my inquiry around the lives of four students and this focus assisted my inquiry. However, the local inquiry in represented in Chapter five cannot be characterized as a student-centered case study, but rather is more accurately described as a case study of Márquez Elementary in which the four students' experiences center my analysis.

**GUIDING QUESTIONS**

In what ways do the case study students and their families, teachers, and school based administrators understand and negotiate the intersection of language and assessment policies, particularly in organizing the preparation of students for high-stakes tests such as the Spanish or English TAKS and the RPTE?

In what ways does classification as a LEP student (ascribing a particular signifier) affect local assessment and curricular policy discourse and practice?

What effects do assessment and language policies have on instructional, curricular, and administrative decisions at the school level?

To what degree are these language and assessment policies complementary in light of the proposed school's site's stated mission to promote late-exit bilingual education and to practice authentic assessment?

What might I learn from this school and case studies that will have implications for schools and districts with significant and expanding ELL and Latino populations?

How do local understandings and practices relate to assumptions, ideologies, and techniques embedded in state and federal language and assessment policy documents that speak to assessment-driven reform for ELL students?

**FRAMING THE INQUIRY**

This study combines policy analysis with ethnographic and qualitative methodologies. That is, in order to emphasize process and to examine the production of policy discourse and practice, I use ethnographic research procedures to produce text for analysis from an Elementary school site where institutional and state level policies are implemented and lived. In order to do so, this study draws upon three major systems of inquiry. The first is the interpretive/constructivist tradition (Geertz, 1977; Glaser & Strauss, 1967; Foley, 2002; Mertens, 1998) in which meaning making is explored through the use of traditional ethnographic methods of observation, informal interviews, semi-structured interviews, and case study analysis (Hatch, 2002; Mirriam, 1998). The second is the critical/political tradition in which unequal relations of power are acknowledged and the processes that produce inequalities are exposed and analyzed. Some critical studies are designed or implemented collaboratively in order to lessen researcher/participant inequalities- that was not the case with this study. However, a desire to interrupt or someway transform the way policies produce inequalities is an integral motivation for the study (Apple, 2002; Freire, 2000; Giroux, 1989; Hatch, 2003;

Kincheloe & McLaren, 1998; Roman, 2003, Sherraden, 1991; Trueba, 2000). A third tradition, located at the intersection of power and language, is influenced by sociolinguistics and poststructural thought. This tradition is concerned with the production of text, analysis of discourse, and the illumination of the social discursive practices that shape and enclose processes that construct unequal institutional and material "lived realities" as normal (Ball, 1994; Corson, 1995; Dueñas-Gonzalez, 2001; Fairclough, 1989, 1995; Foucault, 1970, 1977; Taylor, 2004). This combination of approaches is presented as a table in Appendix A.

**Ethnographic approaches and the interpretation of meaning**

Ethnography has been widely utilized as a means to interpret how meaning is constructed in local educational contexts (Foley, 1990, 2002; Spindler, 1974; Stanton-Salazar, 2001; Zou, 2002). It is particularly suited to inquiries which emphasize process and meaning-making and has long been associated with the field of Anthropology and the exploration of often exoticized others. However, over the last few decades, ethnographic work has become much more reflexive (Foley, 2002), focused on doing homework (Visweswеran, 1994), receptive to poststructural ontologies (Bernard & Ryan, 1998; Foucault, 1970) and incorporative of hybrid approaches represented in cultural studies (Brah, 1996; Gilroy, 1993). As a humanist approach to ethnography, hermeneutics is concerned with understanding and unraveling the meaning of text, either written or oral, and empathetic understanding (Crotty, 1999). Gademer and Geertz expanded hermeneutic models of text interpretation to focus on providing "thick description." They connect traditions and context to which the text belongs to the standpoint of the interpreter (Schweitzer, 1998).

Although not as prominent as they once were in Anthropology, the hermeneutic and interpretist frames and methods are still significantly common in qualitative educational research (Mirriam, 1998; Hatch, 2003). I draw significantly from the interpretive frame as in chapters four and five I attempt to provide thick descriptions of processes and people at Márquez Elementary. I return back "home" and do my study in a school that resides in the same district in which I was employed for seven years as a teacher and administrator. Additionally, I intersperse chapter five with reflective perspectives from my research journal. In chapter seven, I also discuss how my own standpoint as both a white male and former administrator in the district of study impacted how I could do research, provided access, and also created unique tensions at the school. Chapter four attempts to select and present contextual issues, including historical frames that are cogent to interpreting the meanings produced in the texts of my observation fieldnotes, reflective notes and analysis; interviews; and school-based document analysis. In this sense, I view all the data I gather and begin to process and interpret as text (Piantanida, 2004). The fifth chapter, "It is a hard victory": *Contradictions and tensions at Márquez Elementary* is primarily focused on interpreting and unraveling the meaning of the text of school-based discourses and practices relevent to a particular shool setting where a performance culture and tightly coupled organizational behaviors shape the ways in which bilingual and ELL students are interact with accountability reforms. I attempt to accomplish this in a manner that retains humanistic empathy for the participants, while providing critical analysis of policies and practices.

**Critical inquiry**

Critical strands of inquiry are concerned with exposing unequal relations of power and ameliorating materially unjust lived experiences (Crotty, 1999). As originally conceived and presented to the staff of Márquez in early fall of 2003, my research project would have been embedded in a larger, critical project. Our approach aligned with the critical participatory action research approach of the National Latino Educational Research Agenda Project (NLERAP), which strives to have Latino researchers and community members define research agendas for themselves. Through a series of town hall meetings with Latino communities throughout the country, several strands of research important to the Latino community were identified, including the impact of high-stakes accountability policy on Latino students and communities (Pedraza, 2003). My research and our project was to be one of a handful of projects sponsored by NLERAP, which sought not only to benefit local practitioners and communities, but also to impact policy at the state and national level. In the project, each student and the professor would be engaged with different strands of research that aligned with NELRAP, while generated to some extent by school and community-defined needs. We hoped to be generate not only policy-shaping research, but hoped able to not only provide research support to staff, but to perhaps write grants or generate revenue in partnership with the school.

However, proposals to two separate funding agencies were not successful, the professor became involved in legislative endeavors and other important projects, and the other students interested in working on the project needed funding to continue, had other

job commitments, or were not far enough along in their graduate studies to commit to work on the project. So, I became the sole researcher. With my other time and financial commitments, the grander plans for a fully participatory, multiyear engagement that would begin with long term trust and relationship building was truncated. I was able to provide an ESL class to parents in the Spring semester, although that effort had all but ended by the middle of April due to my conference, job interview, and University teaching requirements. I did inform staff members about policy issues and provided support to students in the two classrooms I observed. In the end, participatory project I envisioned was reduced to a very modest endeavor, but it was nevertheless influenced by critical concerns with inequality, contradictions, and conflict (Kincheloe & McClaren, 1998).

**Poststructural and discourse-centered approaches to policy analysis**

Stuart Hall posits that discourses are "systems of thought that construct subjects and their world- discourses are practices that systematically construct their subjects and the objects of which they speak-there are ideological, material, institutional and relational means by which discourses are constituted" (Schwant, 2001, p. 123). Educational administration and educational policy studies in the United States tardily engaged with the discursive turn in the social sciences, partially a result of their general isolation from the broader social sciences (Corson, 1995; Foley, 2002). Discourse analytic theories emphasize ways issues are framed in text and are concerned with silences in policy texts, where often compromises and contradictions are revealed. This approach uses historical contexts to locate and problematize how policy problems and solutions are constructed

and framed (Corson, 1995; Foucault, 1970). Discursive notions of education policy (Ball, 1990; Taylor, 2004; Thomas, 2003), may frame authoritative policy "data"[4] as socially embedded text, linked to the socially and contextually contingent text produced at a specific local site.

There are many different versions of discourse analysis. This dissertation does not engage with approaches that closely examine linguistic features of text, but rather Foucautian influenced scholarship, which focuses on the historical and social context of texts and thus analyzing and theorizing social change and policy processes. Taylor speaks of the usefulness of discourse-centered approaches in education policy (2004, p. 435):

> Recent approaches to policy analysis in education have been influenced more generally by discourse theory perspectives (Ball, 1990; Yeatman, 1990; Taylor, 1997; Taylor et. al, 1997). From such a perspective, policy making is seen as an arena of struggle over meaning, or as 'the politics of discourse'(Yeatman, 1990), and policies are seen as the outcomes of struggles 'between contenders of competing objectives, where language—or more specifically discourse—is used tactically'(Fulcher, 1989, p. 7).

I engage in analysis of struggles over meanings and reflect on how specific accountability policies such as exceptions, or bilingual education policies such as the District's introduction of the *Elevar* bilingual education curriculum, are outcomes of struggles between different, often ideologically distinct factions. I also attempt to provide multiple examples where discourses, such as situated performance oriented discourses, are used tactically at the local, district, and state levels.

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[4] Although I use the positivistic term "data, which implies decontextualization and systematic reductionism, my preference is to use "text" as my term of reference to all forms of policy data. This differentiation is discussed by Piantinada (2004) and is reflected in many discourse-analytic analyses (Fairclough, 1989, 2003). For examples, TAKS scores and AEIS quantitative indicators, as well as written policy statements and spoken dictums all function as types of policy texts, producing possibilities for action as they simultaneously limit conceptions of what is possible.

As an example, in his analysis of school reform in England, Stephen Ball states that he first studied education reform from inside the educational state, looking at state level struggles and conflicts over what "counts" as education. In his 1994 study, he extended his:

> analysis beyond the limits of the central state to examine some of the 'power networks', discourses and technologies which run through the social body of education: the local state, educational organizations and classrooms. The 1988 Education Reform Act brought into play a new 'economy' of power "that is to say, procedures which allowed the effects of power to circulate in a manner at once continuous, uninterrupted, adapted and individualized throughout the entire social body" [Rabinow, 1986, p. 61]. This economy is invested in, 'runs through', four essential circuits within the education system, the four message systems of education: curriculum, assessment, pedagogy, and organization [Ball, 1990, p. 122]. I concentrate in this book primarily on the fourth, but touch also upon the others. (Ball, 1994, p. 1)

In this dissertation, I concentrate on the second (assessment) of Ball's list, particularly as it relates to bilingual education and ELLs. And, like Ball I draw upon Foucaultian genealogical analysis of power flowing 'positively' through education reform efforts and institutions to the bodies of ELL students, thus normalizing and disciplining "productive" behavior and thought, which will produce what is defined as "normal" and rational outcomes(such as monolingual English-speaking students), while silencing and othering other alternatives for the students and society as a whole (Rabinow, 1984).

***Foucaultian methodological contributions***

For Foucault, "discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it" (Foucault quoted in Ball, 1994, p. 2). In both Foucault's archaelogical and genealogical work, there is an emphasis on discourse production and the methods or technologies utilized to

produce text (Ball,1990; Scheurich & McKenzie, 2004). Foucault provides tools to isolate power relations and interrupt assertions that are understood as truths or common-sense notions around accountability policies and ELL students. In my examination of leadership and decision-making at Márquez Elementary (Chapter 5) as well as in the meeting of the Commissioner's Accountability Task Force (Chapter 6), this form of analysis is useful, as educational policy makers and school leaders are important to the technology of control: they are a conduit to power, as their design and use of such tools as the TAKS and the RPTE police norms, and introduce "the constraint of a conformity that must be achieved" (Foucault, 1979, p. 183).

Foucault was interested in how particulars came to be seen as problems. As Scheurich probes, "why do some 'problems' become identified as social problems and other 'problems' do not achieve that level of identification? By what process does a social problem gain the 'gaze' of the state, of the society, and thus emerge from a kind of social invisibility into visibility (1997, p. 97). In chapter 6, I analyze policy texts and procedures to show how ELL student performance and large-scale exemption from the productive reform of testing came to be identified as a social problem through the technocratic gaze of the accountability system, and how certain incrementalist policy reforms have sought to refine the 'gaze', while simultaneously protecting the legitimacy of the state itself.

***Critical Discourse Analysis***

Critical discourse analysis attempts to show how language constructs, maintains, and/or interrupts social relations of power and it allows for an increased consciousness of

how language in policy texts contributes to the domination of some people over others. It is critical in that it is concerned with "the way in which orders of discourse are structured, and the ideologies which they embody, are determined by relationships of power in particular social institutions, and in society as a whole" (Fairclough, 1989, p. 31). This approach focuses on "the relationship between texts, processes, and their social conditions, both in the immediate conditions of the situational context and the more remote conditions of institutional and social structures" (Fairclough, 1989, p. 26).

My attention to organizational and individual discourse in this study is a means of understanding how state and institutional policies are developed and implemented not through simple bureaucratic or legislative fiat, but through the contested ways discourse forms subject positions such as the director of State accountability or Isaac, a 5th grade ELL student who is not transitioning well to English-only instruction and is defined as a TAKS failure and potential dropout. These types of subject positions constrain, limit, or silence possible practices (Gee, 1999). Corson believes that the "discourse of individuals is heavily influenced by institutional practices…but structures in their turn are reconstructed and reinforced by acts of individual discourse in micro settings" (1995, p. 8). This approach privileges the examination of mundane and conventional events, such as a TAKS pep rally, a District Superintendent-led learning walk, or a meeting of the Educator's Accountability Task Force as discourse in use that serves to legitimizes or delegitimizes particular power relations (Fairclough, 1989, 1995).

## GOING BACK TO SCHOOL: DESIGNING INQUIRY AT MÁRQUEZ ELEMENTARY

### Selecting Márquez Elementary

Márquez Elementary[5] was selected as a study site for several reasons. It is located in a city in Central Texas and was geographically accessible to the researcher. The school has a lengthy history in its neighborhood localeis located in a neighborhood that shares socioeconomic indicators often associated discursively as "inner city" or "urban", a lower income sector of the city primarily populated by people of color. [6] Therefore, it would be a site to consider the potential equity effects of the Texas Accountability system (Skrla & Scheurich, 2004) in a context where Latinos and immigrants form the majority of the community population. The immigrant population has increased steadily in the neighborhood and even more rapidly in the school, as the community shifted from a Black majority to a Latino majority. The neighborhood characteristics correspond to empirical studies which evidence the relationship between minority concentration and income inequality (Tienda & Li, 1987) and the school draws almost all of its student attendance (except for two special education units) from the surrounding neighborhood.

Márquez Elementary's student population reflects larger national trends of rising segregation of ethnic minority populations in schools (Orfield & Yeun, 2001). It also corresponds to national trends of increased concentration of ELL students in schools where 30% or more of their fellow students are also immigrant or English Language Learners (Ruiz de Velasco & Fix, 2001). Márquez has 79% Latino enrollment and 31% of students officially classified as "Limited English Proficient", or LEP. Spanish is also

[5] Márquez, Central Texas Independent School District, and all names of participants are pseudonyms.
[6] Specific descriptions of the District, surrounding community and school are provided in chapter 4.

spoken in approximately half of the neighborhood homes, and ELL student success and engagement in school is a major stated and implied concern of neighborhood residents and school personnel (2000 U.S. Census Factfinder, Zip Code tabulation data).

Márquez is also of great interest because it bucks trends and was considered an urban success story by Central Texas School District personnel, particularly for the performance of its bilingual students. The school was labeled "Recognized" in the Texas Accountability System rating system for the two years previous to the year of the study and demonstrates rising trends TAAS and now TAKS assessment passing rates. Spanish test takers outperformed English test takers, including 100% passage for Spanish 3rd grade reading and 100% for Spanish writing in the year previous to the study, a level of performance that repeated during the year of this study. LEP identified students have outperformed their non-LEP counterparts at the school, a phenomena contrary to long-term statewide trends, where Spanish passage rates are approximately 15% lower than English TAKS passing rates and LEP identified students consistently lag behind their non-LEP peers on various indicators of test performance. While not viewed as extraordinarily exceptional, the District encouraged visitors to observe the productive systems in place at the school. The students themselves recognized and validated its special status. For example, before a relatively well-publicized visit by the superintendent and upper level district administrators, one African-American student who is in an English-only class volunteered,"[the superintendent] is coming to visit our school because of our bilingual students and how they do on the TAKS."

This research project sought to understand and interpret how the school was successful in organizing the preparation of bilingual students for high-stakes tests. It also sought to examine how classification as a LEP student affected local assessment and curricular practice. Márquez Elementary held promise for this type of investigation. Additionally, in a district that was beginning to emphasize earlier exit transition program for bilingual students, my original visits found the school and leadership committed to late-exit bilingual education and the practice of authentic assessment. This school's success on the TAKS has implications for schools and districts with significant and expanding ELL and Latino populations.

Access issues also made the selection of the site attractive. I previously worked for 7 years in the same school district and had knowledge of institutional norms and policy procedures. Márquez' leadership was stable, the school was well organized, and with management systems in place, access was fairly straightforward. My co-chair had established a relationship with the principal while working on a political campaign. The principal was enthusiastic about collaborating with the University, and my access was further eased by the fact that the principal and I had also known each other for nearly a decade. She had served as my instructor in an alternative certification teacher education program. Since that time, I had remained in contact as a fellow administrator in District meetings.

**Data Collection: An overview**

Procedures for data collection included participant observation, hand-written raw fieldnotes and word-processed full fieldnotes, bracketing, informal and semi-structured

interviews, audio-taped records, and document or non-intrusive data collection (Denzin & Lincoln, 1998; Emerson, Fretz, & Shaw, 1995; Fontana & Frey, 2003; Glesne, 1999; Hatch, 2003). Once fieldnotes and interviews were converted to text, initial themes were elicited through categorization (Miles & Huberman, 1984; Strauss & Corbin, 1990; Wolcott, 1994) and used to develop analytic themes, which were theorized and explored throughout the data collection process through the use of analytic memos and bracketed asides in my fieldnotes (Spradley, 1980). The ongoing analysis and reflection informed further observation and interview protocols in an iterative cycle of description, analysis, inquiry, and reflexivity that were ongoing in reflective, bracketed fieldnote and reflective journal entries (Denzin, 1989; Emerson, Fretz & Shaw; 1995; Mirriam, 1998).

**Research aspirations, pragmatics, and timeline**

This research project began in early fall, 2003, when Dr. Angela Valenzuela, a couple of other graduate students and I met with Maria Gamez, the principal, and Camila Largo, the Assistant Principal at Márquez. We sought to establish relationships, and discussed parameters of possible studies. We stated that we desired a multiyear, participatory, and collaborative relationship, in which we would bring research and perhaps grant resources to bear on the school. Although we were interested in issues of bilingual education and accountability, we brought no rigidly set questions or hypotheses to the table. By September 30th, Ms. Gamez had several of us visit the school and introduce our project, for which we were pursuing foundation funding as a research site for the National Latino Research Agenda Project.

Shortly afterward, we realized that funding would not be forthcoming and as other potential members of the research project became involved in other projects and obligations, I solely remained to carry forth research for my dissertation. The goals of my project therefore became more modest. I spent October through December establishing relationships and observing at the school, revising and defending my dissertation proposal, and sheparding approval paperwork through relatively slow District and University approval processes. Separate consent forms in Spanish and English were developed for student, parents, and staff. From January through May, I selected student case study participants, sought and received consent from adult and student participants, implemented and taught a weekly ESL class for parents, and conducted my fieldwork. I had originally hoped to be at the school for approximately 10 hours per week, observing and assisting in classes, as well as attending community events. Due to expanded University teaching requirements, unexpected academic job search opportunities, and academic conference participation, the amount of time I dedicated to Márquez also became more modest. However, over 7 months, I was able to visit the school 46 times, spending a total of 102 hours on campus.

Analytic themes were theorized and explored throughout the data collection process. Full transcription and more detailed analysis of data began in June, 2004, and writing began by late July, while clarification and triangulation of data continued until the date of this publication. Policy documents that concern ELL students and accountability had been examined for a couple of years through coursework before the onset of fieldwork and were further examined throughout the project through participation in list

serves, and analysis of discourse in documents produced by the Texas Education Agency, Central Texas Independent School District, and Márquez Elementary.

**Looking in: Observations and interviews**

I observed school activities in the fall semester, gaining insight for my proposal and establishing relationships. Observations and informal interviews of school staff officially began in January, 2004 while observation and informal interviews of student participants followed a month later. These observations and natural interviews proved to be a rich source of information, as observation was central to the ethnographic impulse of the study (Emerson, Fretz, & Shaw, 1995).

***Observations***

Through my observations, I sought to ascertain elements of school culture, including ongoing meaning-making processes and rituals around bilingual education, accountability policies, and ELL students. Observation did include participatory engagements such as teaching an ESL class for parents and assisting student participants (and other students) with assignments in class. In observing, I felt awkward, alternately wanting to engage my administrator impulse to control a situation, and wanting to be respectful and non-disruptive (in a school with locked classroom doors) to the point of at least self-imagined, passivity. At times, I felt that in observing, my title should have been "weirdo". I did concentrate on increasing what Spradley (1980) terms "explicit awareness", looking for explicit and tacit rules for practices and discourse. I also felt that I brought insider (as a former teacher and administrator) and outsider perspectives to my

observations. I also sought to recognize the limits of observation in my fieldnotes and analysis, "as the observed experience is constructed by the standpoint of the researcher and textual representation of the 'findings' is a mediated reconstruction" (Schwandt, 2001, p. 180).

I observed assemblies, parent breakfasts, visits from District personnel, after-school activities, parent breakfasts and informal meetings, breakfast, lunch, recess, and activities in common spaces around the school. I briefly observed most of classrooms in the school, but the majority of my classroom observation took place in two classrooms; a fifth grade classroom with ELL students, and a third grade bilingual classroom. The observational activities drew most strongly upon the interpretivist frame of inquiry.

***Informal interviews***

Informal interviews also served as a primary source of information. Informal interviews are "unstructured conversations that take place at the research scene, they take advantage of the immediate context to give informants the chance to reflect on what they have said, done, or seen" (Hatch, 2003, p. 93). I got information from spontaneous informal interviews as well as those that were in some sense "planned" as a result of the reflections and analysis conducted in my fieldnotes and journals. Often gathered during lunch, this was the source of interview information from the student participants.

***Interviews***

I conducted semi-structured, or open-ended interviews (Hatch, 2003) with various participants: teachers, counselors, and parents. I interviewed a total of seven people. The

interviews each lasted about from an hour to an hour and a half and they were conducted in May and June of 2004. They were semi-structured in that I entered them with guiding questions based on my proposal questions and the information I had gleaned through analysis of my fieldnotes. This allowed me to search for confirming and disconfirming evidence to themes that emerged in my observations and informal interviews. I conducted these interviews during school hours in the parent training room (parents), and in the counselor's office (counselor), as well as after school in classrooms (teachers). I also conducted another counselor interview at a coffee shop. Various attempts to formally interview the administration were unsuccessful. I had scheduled two interviews with the principal-one was cancelled due to her work load, and she never arrived at the other. E-mail attempts to reschedule were unsuccessful. The Assistant Principal was extremely busy and then transferred out of the school at the end of the year. I did, however, have many opportunities to informally interview them during the course of the study. Two phone calls to a District central office staff member requesting interviews were not returned.

I originally planned to more formally interview the four case study student participants for a total of 3 hours. This seemed awkward and in practice overwhelming to the students. Additionally, the interviews would have lasted perhaps 15 minutes during lunch, as this was the only free time they had during the day. In many occasions, they were preparing for the TAKS and engaged in academic work and I felt that my interviews might have been seen as overly intrusive by school staff. As I conducted my fieldwork, I shifted focus towards a school-based case study and away from organizing my case study

primarily around the selected student participants. Although I struggled with the issue, and in retrospection, I could have pursued interviews more aggressively, taped interviews did not become as vital, as I felt that I was getting sufficient and "natural" information through my observations and informal interviews. The selection of whom to interview was based on convenience, intensity samples, and critical case sample criteria, as described by Hatch (2003, p. 98). In order to prepare parts of this dissertation for publication, I plan to follow up with interviews of the former principal, teachers, and a select few District staff.

## Writing experience: Fieldnotes, Journals, and Transcripts

### *Fieldnotes*

As Emerson, Fretz, & Shaw (1995) caution, "fieldworkers must constantly rely upon interactional skills and tact to judge whether or not taking jottings in the moment is appropriate." I felt that taking jottings in the moment seemed appropriate only in Ms. Woods' 5th grade class and Ms. Camarillo's 3rd grade class. These were spaces where I felt I had built a minimum level of trust. However, I regularly produced jottings of potential headnotes before leaving the campus and whenever possible I wrote up full fieldnotes immediately after observation, always writing them within 24 hours. Sometimes I was able to write my fieldnotes at the school in a space in the parent-teacher training room. More regularly, I would drive to a local coffee house and produce full fieldnotes, often beginning with headnotes to organize my writing. Writing headings and time down first helped me shape and organize coherent structures for rich description.

In terms of informal interviews, in my fieldnotes I paid particular attention to when, where, and according to whom discourse was produced and identified direct quotations with quotation marks and distinguished them from restatements of what I heard. I paid careful attention to Spradley's (1980) language identification principle and systematically identified speakers, context and time in my fieldnotes. I placed my own voice in parentheses and my analysis within brackets. As per my observations, I attempted to describe concrete, lushly articulated details of everyday life that demonstrated rather than told about the participant's behavior and the school culture (Emerson, Fretz, & Shaw, 2001). Spradley (1980) speaks about a concrete principal- I used concrete language with different verbs and adjectives. I noted the setting, activities, and time of my observations. Although I found it to be a struggle, particularly as a former teacher and administrator, I attempted to maintain naiveté, suspend judgment, and worked diligently to observe the impact of my perspective (bias) on the observation (Hatch, 2003, p. 84). I regularly questioned the impact of my perspective within my fieldnotes.

I assume that although I attempted to be comprehensive, the scenes created in the fieldnotes were selective and partial descriptions of observed and remembered discourse and activity. Whenever I could, I captured language verbatim, but often used indirect quotations in order to more closely approximate dialogue rather than paraphrase discussions (Emerson, Fretz, & Shaw, 2001, p. 75, Spradley, 1980). Self-reflective asides were included in the fieldnotes through bracketing procedures, as was initial interpretation and analysis. As Richardson (2002) noted, it is useful to capture analysis

that happens through description and the writing process itself (Richardson, 2002). Regularly, these short forms of analysis were later developed into longer analytic passages. Over the course of 7 months, I produced 144 pages of fieldnotes. I found that each of the 102 hours of observation and informal interviews required at the minimum one hour for the write-up of fieldnotes- I estimate I dedicated 150 hours to writing my fieldnotes. Throughout my engagement with Márquez, I also maintained a research log, in which I listed dates and times of data collection and the nature of the observation or research activity for that day.

***Reflexive Journal***

I wrote reflexively throughout the process. I explored positionality issues, methodological musings, and thoughts about the writing and the research process. This not only provided an "escape valve", but also clarified and furthered my thinking and analysis through writing (Richardson, 2002). It also provided "data" for analysis on the particulars of doing ethnographically-styled work in the same school district in which one worked as an administrator, which I found had varied micropolitical and methodological implications. It provided the opportunity to monitor my own subjectivity as well as reflect on intersubjectivity issues. As a result, I reflected on how I experienced the research process, which shaped the story I told and will continue to tell (Glesne, 1999, pp. 110, 157).

### *Transcription*

I tape recorded and I transcribed verbatim my interviews with participants. However, for my interview with Rosa Lopez, the reading teacher, I took extensive notes, as she did not feel comfortable recording our conversation. My interview with Linda Karsten, the counselor, was undertaken at her request, in a coffee shop. There was a significant amount of background noise and tape recording in relatively public space seemed awkward, so again I took extensive notes. Immediately after completing those interviews, I constructed transcripts based on the notes and fresh memory. In addition to my fieldnotes, in chapter 5, I drew from a total of 81 pages of interview transcripts.

### Documents/unobtrusive data

The Márquez Elementary handbook, website, and community newspaper articles were helpful, and I played particular attention to teacher and student work displayed on walls inside and outside the classroom. Documents, such as student work accompanied by scoring rubrics and list of the applicable TEKS standards, revealed cultural assumptions, value orientations, and organizational behaviors. As Hatch states (2003, p. 117), "documents are powerful indicators of the value systems operating within institutions and they provide a behind the scenes look at institutional processes and context of what is being observed."

### Case Studies

Case study techniques were used to examine how policy is lived and embodied in the lives of four students, three of whom were English Language Learners. The case study approach was chosen so as to reach understanding of complex processes and to

provide a bounded frame of study; a means of delimiting the object at the level of embodiment of policy- the student (Foucault, 1977; Mirriam, 1998). As Mirriam states: "case study is a particularly suitable design if you are interested in processes of events, projects, and programs" (1998, p. 33). The purpose for orienting my efforts around this methodology was to elicit thick descriptions and richly nuanced meanings around not only the implementation of policies but the discursive practices that embody the policies as they are lived relationally in a particular context (Geertz, 1973; Fairclough, 1989). I used this approach to focus extensively on "circumstances, meanings, intentions, strategies, and motivations" around the case study participants (Schwant, 2001, p. 235).

In my proposal, I stated that I would use purposeful, theoretical, and political sampling techniques to select students as case study participants. By purposeful sampling I mean selection of cases that provide most potential for information based on my selection criteria. Previous analysis of the development and implementation of the Reading Proficiency Test in English (Black & Valenzuela, 2003), showed the state's interest in capturing ELL students more comprehensively in the accountability system through the RPTE. I purposefully wanted to select a student who would be taking the RPTE and might be taking the TAKS for the first time to explore the intersection of language and content assessment policies. My informal observation of the school and classrooms informed me of students that fell under my selection criteria and I selected three of them to purposefully match the selection criteria articulated below. Political sampling selects cases for their potential to change or alter policy structures and understandings (Hatch, 2003; Mirriam, 1998). Once I identified and gained access to

third grade and a fifth grade classrooms in which I could observe and interact, I sought out and found students from those classrooms that would potential inform changes in accountability policies for ELL and immigrant youth.

Given mobility and other unforeseen circumstances, I originally planned to select four students for the study, with the idea of using information from two students for the analysis and discussion. I chose four given high mobility rates and the possibility of discontinuation from the study because of relocation or lack of desire to continue with the study. I ended up with four students around which I organized my observation, assistance, and analysis. Selection of the cases was not based on predetermined notions of school aptitude, but rather potential for meaningful/theoretical information. The selection criteria I used included:

*English Language Learners (ELLs) officially classified as Limited English Proficient (LEP) by state-level mandates.[7] Three of the students I selected were classified as such. The other was the only monolingual English speaking student in the third grade bilingual classroom- the student most at risk of not meeting minimum expectations on the test.

[7] In this study, I prefer the use of "ELL", which refers to students undergoing the process of learning English rather than "LEP", which refers more specifically to deficiencies embodied in the student. However, I do and will use LEP when it relates to District and State mandates, data, or policies that use that term. Other terms that are used for students who are in similar situations include bilingual students (which is used to refer to students who are or were in a bilingual program), and bilingual/bicultural students, which is preferred by some researchers because of its asset-based orientation (Joel Dworin, personal communication, 2003). Note that in this study, all of these terms may refer to either students who are immigrants from Spanish speaking countries themselves or students who have immigrant parents, and were born in the United States (1.5 generation immigrants- see Valenzuela, 1999), but whose native language, or L1, is Spanish. I encountered no other language minority population at Márquez other than Spanish-speakers who overwhelmingly claim México as a country of origin.

*Students currently in 3rd through 5th grade. For purposeful, political, and transformational sampling reasons, I wanted students to be in TAKS level grades. Additionally, these are also the grades in which most transitional bilingual education programs, such as the one employed at Márquez and Central Texas ISD, transition many bilingual students from mixed Spanish/English-ESL instruction to all-English instruction (Brisk, 1998; Cummins, 2000; Thomas & Collier, 1998). I selected three third graders in a bilingual third grade class. These students were subject to being retained if they did not pass the Reading/Language Arts TAKS test. The two ELL students in third grade were at different stages of transitioning to English instruction, and they took the TAKS test in Spanish. The fifth grade student had been at Márquez for a couple of years and struggled with transitioning to an-all English environment. He took the TAKS in English and failed all three subjects.

*I originally proposed that one case study would be a student who fits the definition of a recent unschooled immigrant established in Texas Education Code, Section 39.023. If not available, as there are very few of these, then the student will have begun schooling in the U.S. within the last 3 years. The other case study will be of a student who has been in school at Márquez and in their bilingual program since either Pre-K or K. One third grade student had been enrolled at Márquez since Kindergarten, while another third grade student and the fifth grade participant had both arrived from México within the last two years.

*One student participant was still classified as LEP but probably scored advanced on the Reading Proficiency Test in English (RPTE).

*The student participants were not seen as "high" or exceptional students- initial observation was geared towards potential for capturing nuanced information on how accountability and bilingual education practices interact.

*Finally, I write about one student who was not part of the original selection criteria. She is an African-American English-only student from a family who had lived in the community for multiple generations. I worked with her in a bilingual class, where she was the only non-Latino student and was deemed to be in the greatest danger of not passing the test, and thus being retained. Her story reveals lived experiences with both accountability and bilingual education policies and practice.

I was able to get access to students that met these criteria in two classrooms that were the highest-stakes in terms of the Student Success Initiative (third grade) and the full transition of ELL students to the English TAKS (fifth grade). Given time, trust, and access issues, I determined that the selection of two classrooms was adequate and helpful in limiting the scope of my observation.

**Documents/unobtrusive data.**

I used AEIS and accountability data for current and past years for Márquez. This data is available through Texas Education Agency documents, often posted on the agency's website. At the District level, I used District LEP data, District accountability and performance data and plans, and District Bilingual Education plans and studies. I examined school district web-based documents and press releases, as well as District organizational structure and curriculum plans. I also read through reported briefs of board meetings of the last year.

## POLICY INQUIRY

### Ethnographic approaches to policy studies

The ethnographic and case study methods I utilize in this study were selected to generate "critical perspectives upon the impact and effects of policy in local settings. Ethnography provides access to 'situated' discourses and 'specific tactics' and 'precise and tenuous' power relations operating in local settings" (Ball, 1994, p. 2). From a critical policy analysis perspective, school-based micro-policy studies give an "account of how educational policies are received and articulated in schools" and critical policy analysis links "how the political economy and cultural practices of schools are linked" (Taylor, et. al, 1997, p.viii). This project is an examination of struggles and changes in the policy process and the ways schools live and work with those changes around ELL students and accountability. The use of this approach to policy studies is also expressly political in a methodological sense- "it is a counterpoint to the bland and misleading, rational scientism (or psycho-humanism) which predominates within the more prescriptive writing of educational management and administration. And it offers a way of bringing into play the concerns and interests and diverse voices of marginalized or oppressed social groups; as well as a way of accessing the voices of authority and influence" (Ball, 1993, p. 3). I attempt to capture diverse, marginalized voices in chapter five, while accessing "non-rational" voices of policy authority in chapter six. I structured chapter six around analysis of the meeting of the Texas Educator's Accountability Task Force, which reveals the contingent practice of accountability policy, including complex and unstable notions around ELL students and accountability. Policies such as the

accountability system and bilingual education are blunt (Scheurich, et. al. 2001), while localized practice " is sophisticated, contingent, complex and unstable. Policy *as* practice is 'created' in a trialectic of dominance, resistance and chaos/freedom. Thus, policy is no simple asymmetry of power" (Ball, 1994, p. 11). Thus, project attempts to represent the interplay of power across a several contexts and began with the intent to show how policy is practice and practice is policy.

**Limits of rational-technical models of policy analysis**

Sabatier has pointedly stated that political scientists suffer from "Potomac fever", in that they assume everything important in terms of policy occurs at the national level and by doing so, "they dramatically underestimate the considerable discretion exercised by state and local agencies when implementing federal law" (Sabatier, 1995, p. 2). Although federal policy has taken pains to not be prescriptive as to issues of curriculum in bilingual education or accountability, an exclusive focus on the federal and state bilingual education policy would miss the fact that "policies are always incomplete insofar as they relate to or map on the 'wild profusion' of local practice" (Ball, 1994, p. 10). Sabatier emphasizes that policy needs to be analyzed over time so that the role of ideas becomes explicated. Ideas involving relatively technical aspects of policy debates, such as represented in this study, led me to specific and contextual analysis to illuminate how policies and ideas (and ideology) embedded in those policies operates in a specific context. In the accountability policy web ELL students are enmeshed in, these factors include available bilingual labor, percentage and political power of immigrant groups, strong or weak bilingual leadership, tight or weak coupling of educational systems,

availability of curricular materials, and the localized politics of language, amongst others (Cummins, 2001; Thomas & Collier, 1996; Krashen, 1982; Rowan & Miskel, 1999).

### Selection of policy texts

The assumptions, implementation strategies, and evaluation components of policy documents that relate to accountability and ELL and immigrant students were analyzed throughout the project. Particular emphasis was be placed on policies that sit at the intersection of accountability and bilingual education, such as the RPTE and the Spanish TAKS. I used state level policy documents available through the Texas Education Agency, the University of Texas library system, the local school district's offices of bilingual education and accountability, and the local campus. I used descriptive statistics from the AEIS system as well as other publicly available data, such as census data and historical texts to set the broader policy context and to provide ideological and discursive referents. National, state, and district bilingual and accountability policies clarifications, directives, and educational code were also analyzed. Given the timeframe of the proposed study, interviews were not conducted with state and federal policy makers, although I did observe a day-long meeting at the Texas Education Agency.

## INTERPRETATION AND ANALYSIS

### Introduction: The use of multiple methodologies

The use of multiple methodologies to get at what Ketper-Mora (2002) describes as a policy web around ELL students also aligns with recent efforts to view qualitative researchers as *bricoleurs* who quilt together studies with the tools at hand. I envision that

this analysis and broader qualitative dissertation builds upon the metaphor of a montage, bringing many different things simultaneously, rather than sequentially (Denzin & Lincoln, 2003). The case study approach, from the interpretivist tradition, allows the analysis to be oriented towards the meaning of the educational process around the students- the lived policy. (Mirriam, 1998, p. 4) The critical tradition calls for another level of analysis that looks at how these policies are played out in social institutions that reproduce or transform or interrupt economic, social, and cultural practices, or habitus. In this sense, the study attempts to show how agency and structure are implicit in each other (Bourdieu, 1977). The critical discourse analytic tradition extends the ideological critique of power, privilege, and oppression to looking at the discourse around bilingual education and accountability as a social practice. It seeks to look at 'common sense' assumptions implicit in discourses and the way language has grown to serve multiple uses (Fairclough, 1989).

**Interpretation and analysis**

Throughout the project, local policies and practices were interpreted in light of broader policies and informed further observation and interviews in an iterative cycle of description, analysis, and reflexive inquiry (Denzin, 1989; Emerson, Fretz, and Shaw, 1995; Mirriam, 1998) In the summer, I began interpretation and analysis using an integrative approach of interpretive coding, "drawing upon language found in the text to flag ideas or meanings that we explicitly or instinctively sense are important" (Paintanida, 2004). In this manner, I did try to capture what is idiosynchratic about situational details. However, I was systematic. Once all of my fieldnotes, journal entries

and interviews and analytical entries had been converted to text, I read through the entire set of documents twice, marking initial themes, creating new analytical points, and expanding on previously completed analysis. I then elicited initial themes through categorization (Miles & Huberman, 1994; Wolcott, 1994) which were then used in turn to develop analytic themes. When the themes were elicited, I then engaged appropriate theoretical and content literature to further interpretation and analysis of both school-based and state-based policies and practices. Text data excerpts were presented to support further delineated thematic analysis and other forms of data. Excerpt editing was guided by length, relevance, readability, comprehensibility, and anonymity (Emerson, Fretz, and Shaw, 1995).

I attempted to link local practice to district and state level policy and then to broader theoretical and literature based discussions (Hatch, 2003). I sought to identify nuances around issues and dilemmas, and then move to a more abstract tier to provide conceptual language to describe and explain the relationship amongst the clusters of themes (Mertens, 1999; Paintanida, 2004). I placed emphasis in my analysis on demonstrating contradictions and tensions in lived policy. Wolcott (1994) notes that this process-centered representation provides an alternative to overly confident prescriptive recommendations. It is consistent with qualitative researchers' reticence to generalize context specific analysis. Also, my approach is congruent with critical approaches to educational policy that seek to expose power inequalities through the contradictions and tensions in policy (Apple, 2004; McNiel, 2000).

**Limitations**

Haven chosen process-oriented, non-positivistic qualitative, critical, and discourse analytic methods, generalization of results from this study will be limited. The policy analysis methods chosen are explicitly normative and reject notions of objectivity, while still embracing notions of credibility (including counterexamples or cases), rigor, fairness, and depth of description and analysis. The knowledge and text generated in this study is contextual and to some degree representative of my standpoint. Another researcher conducting a parallel study at Márquez would come to different interpretations and conclusions. The reflexive journal and even bracketed fieldnotes provided opportunities for creating a heightened sense of self-awareness. Reciprocity and trust was encouraged through time and conversations, as this effects the quality and the fairness of my engagement.

**Delimitations**

Broader policy texts were analyzed, but no data was created from interviews with District, State or Federal educational officials. This study attended to school based processes over a seven month period and did not attempt to focus in depth on the effects of the policy outside of Márquez Elementary and the classrooms of the selected participants, with the exception of selected parental interviews. This study did not attempt to compare the discourse and practices at this particular school site with other school sites, other than for limited purposes of triangulation of data.

At times, I attempted to interrupt taken for granted, or common sense notions (Apple, 2001) that are embedded within educational policy analysis and administration.

However, these notions may also be within my own dissertation and thus my own dissertation is capable of producing knowledge that leads to unequal outcomes, particularly as I am positioned differently from most of my study participants across various identity frames. Stated differently, my own standpoint and the critical notions I attempt to embed within this study should themselves be subject to scrutiny.

## QUALITY ISSUES

### Credibility

By using credibility criteria, one seeks to explore the relationship between the way participants "perceive social constructs and the way the researcher portrays their viewpoints" (Mertens, 1999, p. 181). While the assumption is problematic[8], credibility, or internal validity of the project will be obtained through the length of engagement. I have studied issues around bilingual education and accountability policy for four years and spent three years as a bilingual teacher and then four years as an administrator in charge of bilingual education reforms at a school in Central Texas Independent School District. I had a significant amount of institutional knowledge and memory before I then began a seven month engagement at Márquez.

Peer debriefing occurred with members of my writing group and I debriefed regularly with an academic advisor, two teachers at other schools in the Central Texas

8 Validity discussions that are traced to Lincoln & Guba's (1985) naturalistic inquiry are firmly anchored in modernist correspondence and linear relationships between the observed and the observer. It seeks to capture reality. Kvale (2002) argues that this conception is limited and validity should be replaced by extended conversations about the observation and application, or relevance, of the interpretations for making change, a type of pragmatic validity. Such a criteria is implied in the broader discussion of the dissertation, but this particular section, embedded as it is within a legitimizing dissertation proposal, plays to the modernist "legitimization mania" that Kvale critiques.

Independent School District, as well as a former principal in the District. In those meetings and in my observations and fieldnotes, I regularly sought disconfirming cases and analysis. In doing this, I was also attempting to create what Mertens (1998) describes as a mirror toward my progressive subjectivity.

**Member checking**

I utilized member checking procedures as a means of developing the trustworthiness of my data (Lincoln & Guba, 1985). I shared insights from notes and analytic memos with parents, the children, teachers and administrators during informal interviews in the spring, 2004 semester. As well, I checked some preliminary analysis and tentative themes in the semi-structured interviews of May and June. Copies of interview transcripts were offered to participants.

**Transferability**

The transferability, or external validity of the dissertation was established through thick description of Márquez's performance culture and policy environment. Additionally, my District and State level policy description and analysis attempts to be comprehensive and tied to the school-level and historical analysis embedded in the dissertation. Depth of description and detail enable the reader to ascertain the transferability of the evidence, interpretation, and analysis. Authenticity was established by identifying respondents and how information was obtained, as well as soliciting and displaying conflicts and value judgments.

**Dependability**

Dependability was maintained through establishing case study protocol in this dissertation and then specifically describing the changes of focus and time that often result in qualitative work (Wolcott, 1994). In terms of document data at the various levels of the study, I attempted to make interpretations carefully including "identifying the contexts within which artifacts [policy text] had meaning, recognizing meaningful similarities and differences within the context, and judging the relevance of theories to the data at hand (Hodder, 1974, p.399 cited in Hatch, 2003, p. 120).

**Critical reflexivity**

A more reflexive stance toward methodological and epistemological approaches acknowledges "the ideological and power dominant forms of inquiry exert over the researcher and the researched" (Smyth & Shacklock, 1998, p. 6) This use of critical reflexivity allowed me to entertain why an approach or decision was privileged over another one and to edit myself into the text. Thus, it is reflexive of "its own limitations, distortions and agenda, [and] concerned about the impact of the research in producing more equitable and just social relationships (Smyth & Shacklock, 1998, p. 1). I feel that my analysis attempts to expose processes that impact the production of equitable social relationships. But, then again, who reads dissertations?

Reflecting critically on my own participation at Márquez, my contributions to the school were minor and in some ways problematic. Funding for research was not forthcoming and we did not have a group of researchers collectively contributing to the campus, as originally envisioned. The length of my engagement at the school was less

than optimal for an ethnographically oriented study and not sufficient to assist in any type of long term planning. In my conversations with participants I always brought forth policy perspectives and an occasional insight, and I believe that being having their voice heard brought a modicum of satisfaction to them. I did help tutor students in class occasionally, but I did not do so in such as consistent way as to coordinate effectively with teachers. I taught a weekly hour-and-a half long ESL class to parents for about three months. When other commitments prevented me from holding the class for about three weeks, students lost interest and confidence in me, and the class slowly fizzled out after that. Some of my conversations with parents and staff members may have stirred up underlying conflict and tensions, particularly given my postionality as a white male ex-administrator. I speak to this dilemma in chapter seven. In the end, I felt that my positive material impact on the school was limited, at best.

## SUMMARY AND GUIDE FOR READER

In this chapter I put forth the frames and research questions that guided this dissertation. I discussed the original focus of my inquiry and the subsequent adjustments that I made as the research progressed. I discussed methods for state and institutional inquiry and policy analysis and the rationale for linking it to localized ethnographic work. I then provided a description of methods for gathering text, or data at the local level. I discussed a variety of issues around quality of data collection and interpretation. Interpretive techniques and analysis were then discussed as well as reporting procedures. I argue for reporting findings or implications in a manner that highlights policy processes rather than on the policy content itself, particularly focusing on tensions and

contradictions involved in developing, implementing, managing, and mediating policy at multiple levels. The next chapters will contextualize, then portray and analyze accountability and bilingual education policy at state, district, and school levels. Chapter four begins this process by providing historical and more contemporary contexts for the contemporary accountability and bilingual education policy web, while describing selected impacts of substantially large gains in the numbers of Latinos and immigrant students in schools. It then sets up the Márquez-based fifth chapter by describing relevant Central Texas ISD, community, school, and participant characteristics.

# CHAPTER FOUR

## Situating Equal access and high-stakes policies for ELL and immigrant youth at Márquez Elementary: *Historical perspectives, demographic shifts, community characteristics, and study participants.*

### INTRODUCTION

This chapter contextualizes the analysis that proceeds in the next three chapters. A primary focus of this study lies in understanding how and in what ways bilingual education and accountability policies intersect and are focused upon particular students in a particular school at a particular time. Situating an ethnographic, locally-focused inquiry within critical policy analysis perspectives calls for incorporation and telling of macro and micro-level contexts of the study. In representing material effects of policies designed to provide "equal access to mandated testing" at the local school and district level, I also study "the discursive practices of normative control in any local-level community or institution [along] with the discursive practices comprising larger-scale structures of law and governance" and "the purposeful practice of diverse social actors reinstat(ing) agency across all levels of the policy process, making it possible to see policy not only as mandate but also as a contested cultural resource" (Levinson & Sutton, 2001, p.3). Thus, it is important to discuss the diverse social actors and the specific community and historical context the actors inhabit that allow districts, schools, community members, teachers, and students to mediate and contest the cultural resources that are bilingual education and accountability policies. The contextual factors I include in this chapter should also assist readers in their interpretation of the study and analysis, and thus provide possibilities for transfer to other school or state contexts.

Because critical educational policy work recognizes the need to engage with and illuminate the historical context that frames (albeit incompletely and normatively) societal assumptions, ideologies, and practices around ELL and immigrant youth, I follow this introduction with a discussion of historical trends in bilingual education and accountability policy. I contextualize bilingual education and evaluation historically in Texas and the U.S., as critical policy work engages current studies within historical contexts and broader social contexts, particularly as they relate to historically marginalized populations (Anderson, 1990; Ball, 1994; Dalton, 1999; Sabatier & Jenkins-Smith, 1993). Critical discourse analysis also engages quite actively with historically informed notions that are embedded in power and discourse (Fairclough, 1989, 1995; Farnel & Graham, 1998; Foucault, 1970). Bilingual education and accountability policies live through immigrant students and schools in a manner that is not simple or linear, but characterized by multiple layers of formal policies, actors, ideologies, and coalitions forming what Kerper Mora (2002) refers to as a "policy web". A policy web has historical dimensions, and therefore in this chapter, I provide historical context to the school and state-level work I undertook. In addition, given my own positionality and outsider status in relationship to my participants, historical analysis became important in constructing the lens through which I interpret bilingual education and accountability policies in the organizational life of Márquez Elementary and in the lives of the study participants.

After providing historical context of the policy streams, I turn my attention to the demographic shifts in Latino and immigrant populations and the impact this is having on schools in the aggregate, as well as in Central Texas Independent School District and Márquez Elementary in particular. I then portray characteristics of the community and school before introducing participating teachers, support staff and administration at

Márquez Elementary. At the end of the chapter, I introduce the four students whose lives organized the focus of my inquiry, and upon whose bodies educational policies become inscribed.

## EQUAL ACCESS: LANGUAGE POLICIES AND PRACTICES FOR ENGLISH LANGUAGE LEARNERS IN HISTORICAL CONTEXT

Bilingual educational policies in Texas emerged from broader regional and national societal contexts that deeply influence this study, including the researcher's and participants' perspectives and practices. In this section, I present a historical sketch of bilingual education policies, and then move to a brief discussion of historical trends in evaluation and accountability policies.

### Language education policy: Assimilationist and accomodationist orientations towards bilingualism and biculturalism

Over the last eighty years, bilingual education policy and practice has inhabited a tense space between cultural pluralists who support expanded bilingual and bicultural education and assimilationists who support ESL, early transition, or submersion approaches. The assimilationists held sway from the First World War until the late 1960s, when the cultural pluralist position gained prominence with civil rights struggles that led to legislative and judicial action. In the late 1970's and early 1980's assimilationist positions reinserted themselves more strongly, particularly under the Reagan administration. With respect to educational administration, the training and operationalization of school administration has historically been cast as primarily assimilationist in orientation, as administrators have often held culture and language as incidental to the broader schooling process and reform agenda. In contrast, cultural

pluralists seek to affirm and respect different home cultures within the school (San Miguel, 1985). The tension between assimilationalist and accomodationist swings, continues to this day, as assimilationist oriented discourse has gained national prominence through the English-only movement and is actualized in the anti-bilingual propositions passed in Arizona, California, and Massachussetts (Crawford, 2003; Dueñas-Gonzalez, 2001; Santa Ana, 2001; Stritikus & García, 2003).

**Bilingual education's Laissez-Faire period: Pre-1919**

In the context of localized and non-standardized schooling, bilingual education and even non-English monolingual instruction was not uncommon in the 19th century. Many students learned content matter in German in cities where German immigrants held significant power, such as Cleveland, Cincinnati, Baltimore, and Detroit (Bernal,1987, p. 2). Before the Civil War, some Germans even petitioned to create their own state with German to serve as the official language (Castellanos, 1983, p. 15). Catholic schools responded to the waves of Eastern and Southern Europeans from 1880 to 1920 by operating bilingual schools in many urban enclave communities. During the same period, West Coast afternoon Japanese schools blossomed (Anderson & Boyer, 1970, p. 17). Bilingual schools also operated in disparate locales in Florida, Texas (for example, there was a Polish school in Panna Maria), Colorado, and Louisiana. In 1900 almost all students enrolled in school in New Braunfels were studying content in German (Anderson & Boyer, 1970, p. 35).

Spanish instruction was common in the U.S. Southwest. In the 19th century New Mexico specifically authorized that monolingual Spanish instruction and laws supporting teacher training in Spanish be continued into the 20th century, while Justices of the Peace commonly conducted business in Spanish (Castellanos, 1983, pp. 17-20). Until 1918, there was a significant amount of instruction provided in Spanish along the Texas-Mexico border (Zamora, 1977, p. 33). During this period, communities with significant amount of non-English speaking immigrants had influence over educational language policy in various locales. Nevertheless, the state was not particularly concerned with Latino achievement in the Southwest. George I. Sánchez, an early Latino educational reformer and activist, stated that before 1910, "there was virtually no thought given to the educational, health, economic, or political rehabilitation of the Hispanos" (Sánchez, 1997, p. 118).

With the colonization of Puerto Rico and the Phillipines in concert with the consolidation of the Western Border, assimilationist-oriented schooling became a way of asserting control over territorial gains. Despite local aberrations, as schools and school systems consolidated and professionalized with the institutionalization of the common school movement, the employment of a female workforce, and later the impetus of the progressive school movement, "the assimilationist endeavor became the principal activity of the public schools throughout the last century and into our own" in relation to immigrant students" (Castellanos, 1983, p.14). This effort also included English speaking populations such as Irish Catholics who were racialized, seen as needing cultural and linguistic remediation through the schools. With the pressures mounting for schools to imbue a more culturally homogenous value system, many bilingual schools disappeared between 1880-1920. By 1890, more than half the student population in the largest cities in the U.S. were immigrants and their children (Tyack, 1974). These increased waves of

immigration were met with restrictive and racially pointed policy responses such as the Chinese Exclusion Act of 1882, and the immigration act of 1925, which established country specific immigration quotas. In this environment, like today, schools were cast into the role of solving social problems and constructing a "productive" citizenry. During the huge waves of immigration in the decades around the turn of the 20th century, schools were cast as ideal institutions to implant ideas and characteristics that these'othered' groups were ascribed as lacking: righteousness, law, and order (Castellanos, 1983; Spring, 2001).

**Nativist/Assimilationist period: 1919-1960's**

By the late 1910's LEP students became a public "problem" in Texas as compulsory school attendance laws met with rising numbers of Mexican immigrant students. Mexican immigration increased to the Southwest and Texas as the result of upheaval around the Porfiriato and the Mexican revolution. However, with the onset of the depression and the resultant emphasis on deporting foreign workers, at least a half million Mexicanos were forced to leave between 1929 and 1935 (Archdeacon, 1977). Nationally, nativist sentiment against Germany and German immigrants as a result of WWI fomented support for English-only schooling. Additionally, the institutionalization of compulsory attendance laws and the elimination of public funds for parochial schools further supported the implementation of monolingual, "teacher-proof" pedagogical approaches (Castellanos, 1983, p. 36). In 1917, Teddy Roosevelt went as far as to declare that it should be "a crime to perpetuate language differences in this country" (Castellanos, 1983, p. 40). Between 1913 and 1923 the number of states mandating all-English instruction grew from 14 to 34 (Crawford, 1998, p. 2)

***Texas state policy***

Policing its border with Mexico, Texas took a leading role nationally in the application of a no foreign language rule (Bernal, 1982). On April 3rd, 1919, the Texas legislature passed HB128 which required teachers to conduct school work in English exclusively and applied penalties for teaching in another language: a school official could be charged with a misdemeanor and have their certificate canceled for using another language. As a result, until 1973 it was a crime to use a language other than English as the medium of instruction (Crawford, 1998, p. 22). A 1923 Texas State Department of Education handbook suggested that teachers and administrators state the following to the LEP students and their families that showed up at the school door: "if you desire to be one with us, stay, and we welcome you; but if you wish to preserve, in our state, the language and customs of another land, you have no right to do this" (Zamora, p. 34). During this time period, formal Americanization classes were held in Latino rich communities in Texas, such as San Antonio. Texas schools used prescriptive Americanization curriculums through the end of the 1930's, as immigrant and Tejano students were situated in the public discourse as threats that needed to be 'neutralized' with a curriculum that featured hygiene and explicitly deficient characterizations of the students' home cultures (Gonzalez, 1997). Even the study of foreign languages was outlawed for approximately 15 years. As a result, foreign language learning also dropped, and even though it was made legal in Texas in 1938 by 1948 only 14% of High School students enrolled in a foreign language classes (Castellanos, 1983, p. 47).

***The role of research in supporting and contesting assimilationist and deficit oriented official policies.***

Research is embedded in the broader social and historical context from which it emanates. For example, research studies in the 1930s made claims that bilingualism creates stuttering in students (Castellanos, 1983, p. 43). A 1925 Texas State education survey report strongly recommended segregation in the early grades, as this policy was publicly justified as a means to provide Spanish speakers specially trained teachers and targeted resources (Zamora,1977, p. 36). From their inception to the present time, IQ tests administered in school have had little predictive validity for success in school, particularly with language minority children. In addition, examination of statements made at the time demonstrate that many of the original IQ test developers were "hereditarians, eugenicists, and even racists" in their personal lives (Valencia & Suzuki 2001, p. 7). Testing was used to support an institutional sorting function from the 1920s until the 1960's, when this use became questioned. In Los Angeles, with the implementation of group intelligence testing, 50% of Mexican-American students were placed in classes for the mentally subaverage. In the 1920's, eight studies done with Mexican-American children concluded that lower intelligence performance could be explained by physically inherited deficiencies (Valencia & Suzuki, 2001, pp. 11-16).

For decades, George I. Sánchez spoke of the limitations of the interpretation of intelligence tests on Spanish-speaking students. He warned against false predictions of student ability and performance based on test results. In their almost monolithic attention to English skills, teachers, he reasoned, were not recognizing and working with the conceptual development of the child. He also precursed contemporary discussions

around opportunity to learn in his work in the middle of the twentieth century (Sánchez, 1931; Sánchez, 1954; Valencia & Suzuki, 2001). In particular, he argued that:

> Intelligence tests must be taken with a large grain of salt. A potentially good mind that has not had occasion to acquire the common concepts pre-supposed by the test cannot be measured by that test- for you cannot measure what is not there! These tests are measures of conceptualization, and they assume a common experience that may not be true for a given individual or group. (Sánchez, 1954, p.14)

Sánchez wrote of the "failure of the schools in their obstinate persistance to make English the only language of this group" (1997, p. 117). He also pointed to the pernicious legacy of segregation of Mexicano students to creating hegemonic "common-sense" notions (Apple, 2001), particularly common at the elementary school level: "this extension has served to blind school people, from those of the highest authority to those at the classroom level, to the fact that they have used 'language handicap' and 'bilingualism' to justify racial discrimination and their failure to do the kind of teaching job with these children that the American school has done with 100,000s of other children who were similarly situated" (Sánchez, 1997, p. 127).

In the 1950's, there was some "experimentation' with using partially or completely translated tests to measure the intelligence of Latino children. Sánchez critiqued this approach of comparing results of intelligence tests, standardized and normed in English, with results from a translated test "without even token recognition of the fact that translation does irreparable damage to test norms and that the Spanish of the children was untutored, unlike the situation of the English speaking norm children" (Sánchez, 1997, p. 129). Many of the high-stakes tests given to students today have large portions that are direct translations. Even attempts to measure intelligence non-verbally

that emerged in the 50's and 60's were critiqued in a fashion that preceded the common understanding of the time. Sánchez claimed that interpretation of non-verbal intelligence tests overlooked the fact that the tests are as "culturally based as verbal tests and that neither can test what is not there [due to opportunity to learn]" (Sánchez, 1997,p. 129). He called for the use of the native language and Latino teachers who could help bridge the cultural gap. In one of the early studies on Latino students and IQ testing, Sánchez concluded that measurement is inadequate for Spanish-speaking children and that more and better schooling needs to take place in order to give the Spanish children the experiences and skills of the normed group (Sánchez, 1934). Common notions at the time pathologized the child and their culture, while Sánchez and others stated that the responsibility belonged to the school in preparing students to do well in achievement and intelligence tests in English.

***Segregation institutionalized***

Many Latino students were placed in segregated classes upon their entrance to public schooling in first grade. This segregationist practice was fully implemented by the 1930's, as up to 50% of Latino students in elementary school were enrolled in the first grade, where the median age of Latino students reached eight years old (Sánchez, 1934, p. 396). Segregation of Latino students was the rule, rather than the exception for the majority of this period. As late as the 1940's some school districts segregated Mexican children all the way through 12th grade (Sánchez, 1997, p. 127). A common practice was to keep Mexican students segregated until the 4th grade, while German- dominant students went to school with the English speaking Anglos. As a result of these policies and general economic and racial discrimination, by 1957, 62,000 Spanish surnamed

students were in 1st grade, while 15,500 were in 8th, and a mere 5,200 enrolled in 12th grade in Texas (Sánchez, 1997, p. 129). One Texas school board actually had a policy that required LEP students to stay in 1st grade for three years (Castellanos, 1983, p. 76). It was argued that segregation of the bilingual students promoted faster learning of English as specially trained teachers could meet the students needs, Anglo children would not ridicule them, and more appropriate level of instruction could be utilized. Arguments of the time against any Spanish instruction included beliefs that bilingualism is mentally confusing, the Spanish of the Southwest is substandard, and that bilingual education is impractical as teachers and administrators do not understand Spanish (Zamora, 1977, p. 33). It was often stated by Anglos that Latinos themselves did not want bilingual education, given the assimilationist political climate of the time (Bernal, 10). By 1945, however cracks began to appear in this policed approach to language policy in the Texas schools, as the TEA allowed inclusion of "recorded Spanish exercises." Concurrently throughout this era, only a few private schools continued to use Spanish as a language of instruction (Zamora, 1977, p. 58).

***Community-based responses***

Many parents who sent their children to the schools became frustrated and alienated from these school systems. One Latino parent expressed this frustration in 1930: "parents send them [their children] to school for four or five years and can't get them out of 1st or 2nd grade readers-so why send them? They do not know how to teach them English, don't pay attention to them" (from Taylor quoted in San Miguel, 1997, p. 136). As a result, some communities established their own schools and after-school

classes that were taught in Spanish, a practice which continued in South Texas until the 1950's. There was also evidence of parents as early as the 1920's using the boycotting of schools as a strategy to get another teacher or other benefits, as funding was calculated on student enrollment (San Miguel, 1997, p.137).

In the 1920's a coalition of Latino organizations formed around issued of inferior, segregated education in Texas- *La Liga Pro-Defensa Escolar* (San Miguel, 1997, p. 145), while in 1929 LULAC was formed. LULAC was concerned with creating active citizens within the Latino community, and it's membership was originally limited to males who were U.S.-born and registered voters. Education was central to their platform and one constitutional aim for them was to "assume complete responsibility for the education of our children as to their rights and duties and the language and customs of this country" (San Miguel, 1997, p. 140).

English acquisition has been a central part of LULAC's educational mission. According to testimony from early members, many of the problems resided within the unassimilated Mexican-American community itself: Mexican-Americans did not talk in English or teach English to their children. As one member stated, "if you talk English you will think and act like Americans" (San Miguel, 1997, p. 142). The membership declared English to be the official language of the organization and members pledged to speak in English and to teach English to their children. LULAC members aimed to "educate the children of Mexican extraction and we will measure up to the requirements of American standards" (San Miguel, 1997, p. 143). Within an explicitly assimilationist era, the organization emphasized "American behaviors" and concentrated on behavioral adaptations to majority norms within the community, while simultaneously using legal challenges strategically to attack structural impediments.

In this vein, one controversial approach was the establishment of the *escuelitas de los cien*. In the 1920s, LULAC helped establish preschools for Spanish-speaking children that taught the students 100 English words. By the late 50"s Felix Tijerina, the president of LULAC, expanded this approach to teaching 400 words (*escuelitas de los 400*) prior to entering 1st grade. By 1959, with the instititionalization of compensatory education mechanisms, the *escuelitas de los 400* became state funded. At its apex in 1963-1964, the program enrolled 20,000 children in 173 school districts. With the advent of Head Start and Title I programs, this approach was subsumed within larger federal programs. Throughout this period, however, George I. Sánchez and other civil rights/Chicano advocate critics of the *escuelitas de los cien* claimed that the approach was too assimilationist in orientation (Zamora, 1977, pp. 40-41).

Structural inequalities were reflected in disparate educational opportunities for Latino/a and immigrant youth, and this led advocates and community members to pursue litigation and educational campaigns in Texas. An early case around race, education, and language minority youth occurred in Atascosa county in 1928. Felipe Vega had adopted a white child that was subsequently placed in the segregated Mexican school. In this case, the state superintendent of education ordered placement in the white school, since it "would not interfere with the progress of the American children" (San Miguel, 1997, p. 145). LULAC challenged segregation in Del Rio schools in 1930 and lost, as the judge ruled that segregation could be allowed for educational purposes. Afterwards, LULAC battled segregation through legislation on finance and through public education campaigns focusing on such areas of concern as poor and overcrowded San Antonio schools. Letters were sent to prominent Anglos to then leverage the school board (San Miguel, 1997, p. 149). Throughout the 1940's and 1950's, LULAC and the GI Forum

increasingly concentrated their efforts in bringing about desegregation of the schools (Bernal, p. 10).

***Effects of the assimilationist period***

Critics of the immersion approach favored in schools pointed out that 75% of Chicano youth were functionally illiterate in 1960 (Anderson & Boyer, 1970, p. 53). During this period, 80% of LEP students would spend 2 years or more in 1st or 2nd grade (Sánchez, 1997, p. 127). In 1950, the median years of schooling completed by Spanish surnamed population 25 years or younger in Texas stood at a miserable 3.6 years, and by 1960 it had crept up to 4.8 years. The median years of education of Latinos compared to Anglos was 36% in 1950 and 41% in 1960. Interestingly, as a precursor to current battles in Central Texas, where this dissertation research is being undertaken, the percentage difference in median years of schooling between Latinos and Anglos in Austin in 1950 was 28.9% and 35.9% in 1960- the biggest gap of 12 urban and rural areas studied. In 1960, in Austin, 89% of children with Spanish surnames dropped out of school (Samora & Lammana, 1967, pp. 22-32). As the civil rights and Chicano rights movements started to gain momentum, it was becoming more obvious to the general public that the immersion approach, in tandem with desegregated and inferior facilities, failed Latino youth, as measured by achievement test scores, dropout rates, and retention data (Zamora, 1977, p. 28).

**Bilingual Education's Experimental Period- 1960's**

During the Second World War and Sputnik crisis, policymakers realized that the U.S. was sorely lacking in people that spoke foreign languages. The Good Neighbor

policy toward Latin America created a space for valuation of Spanish skills (Zamora, 1977, p. 27). During this time, the Sputnik crisis created a national agenda for the support of foriegn language acquisition. The National Education Association's 1966 influential and well-publicized Tucson survey on the "invisible minority" painted a picture of tremendous educational neglect towards Latino and immigrant students. In 1959, Texas created pre-school programs for Spanish speaking students that were designed to teach English (Bernal, 1978, p.192). The civil rights movement, the student walkouts, and Chicano activism, such as the Raza Unida's victory in Crystal City helped push an educational reform agenda in which the language and culture of students was moved up in agenda setting priorities. Statistical gaps in achievement and overepresentation of minority students in special education were also being debated within the broader public sphere (Crawford, 1998, pp. 20-22; Castellanos, 1983, pp. 71-75). In this period, Castellanos (1983, p. 144) claims that not all African-Americans were supportive of bilingual education, as they saw its implementation as supporting community schools that might foil desegregation plans.

***Early Texas ventures into bilingual education***

In 1964, two experimental bilingual programs were established in Texas. At Nye Elementary in the United Consolidated School District in Laredo, a dual language (50/50) program emerged at first grade, while San Antonio ISD started an early transition program with support from SEDL and the University of Texas. Foreshadowing future axiological debates amongst bilingual program advocates, the Laredo approach might be characterized as more culturally pluralist in orientation, while San Antonio sought to use

bilingual education to assimilate students as quickly as possible to mainstream English classes (Hardgrave & Hinojosa, 1975, p. 3). These early efforts at bilingual program implementation in Texas reflect different approaches to bilingual education that still remain in tension today within schools such as Márquez Elementary, my study site.

At the time, United had a significant amount of middle class students and 50% of its total enrollment was Latino. The Superintendent was a strong advocate of bilingual education and the previous year he had visited Coral Way Elementary in Miami, site of the first modern-era bilingual program. Despite bearing all costs locally, the District moved ahead with grade-by-grade implementation, beginning in the fall of 1964. The district had to translate its own materials and supplement state texts with those from Mexico. Interestingly, the district hired a project director from a private school in Laredo that had already established a bilingual/bicultural approach. By 1969, the BE program was in place through the 6th grade. Assessment was important to legitimize the effort and the district used the English California Achievement Test as well as a Spanish adaptation of the CAT. Students scored at roughly equivalent levels in both languages, with aggregate scores above the national average, thus supporting the institutionalization of the program. The San Antonio program, pushed early transition programs in order to get students in all English environment. In this case, Spanish instruction was viewed as a necessary compensatory step, a remediation until students could access the full curriculum in English (Hardgrave & Hinojosa, 1975, pp. 16-24; Zamora, 1977, p. 43).

Other early Texas implementation of bilingual education programs occurred in1965 in Edinburg, while1966 witnessed the emergence of bilingual experiments in Harlindale, Del Rio, and Zapata. The first program in the Austin area sprouted at the Creedmore school in Del Valle ISD (Anderson & Boyer, 1970, pp. 18-19).

***The role of research in a more accomodationist era***

During the 1960's and early 1970's, research was emerging from Ontario and other areas debunking the myth that learning in more than one language interfered with cognitive performance and content conceptualization. The notion of language interfering with schooling and retarding cognitive development persisted from the 1920's era of group ability testing practices aimed at Latinos, but also at Southern and Eastern European immigrants. Hereditarian arguments to explain group differences underpinned these practices (August & García, 1988, pp. 32-33). These notions became reinforced (and continue to be reinforced) in the dominant groups through the construction of a language interference hypothesis that held that students who spoke Spanish, Navajo, or French did poorly in school precisely because their language interfered with their academic and cognitive abilities. Advocates debunked this myth by noting that bilingualism was a norm in many parts of the world and pursuing bilingual education in Spanish would fuse nicely with national aims espoused towards Latin America in the Good Neighbor policy (Anderson & Boyer, 1970, pp. 45-51).

## The Consolidation of bilingual/ bicultural propositions- Late 1960's through 1970s

### *Yarborough and the Bilingual Education Act of 1968*

Senator Ralph Yarborough of Central Texas was the chief sponsor of the landmark 1968 Bilingual Education Act, which established Title VII categorical funding for the support of bilingual education (Castañeda, 1974, p. 213). The act did not require bilingual instruction, but rather supported it thorough the provision of such inputs as money for teacher training, program development, and materials (Crawford, 1998, p. 21). Yarborough championed a civil rights agenda as well as an international and national security rationale for the Act: "In addition to enacting a bilingual education act on the basis of justice alone, another compelling reason is that in future years one of the great testing areas for American foreign policy will be right here in the hemisphere with our neighbors to the south" (Yarborough, 1967, p. 125). The National 1968 Bilingual Education act incorporated the study of the history and culture associated with a student's native tongue as an integral part of bilingual education. It also explicitly addressed the need not to segregate students (Hardgrave & Hinojosa, 1975, p. 4). However, the Title VII act was compensatory and targeted specific transitional bilingual education support for poor school districts. Early evaluations of Title VII funded programs found that planning of adequate depth and scope was a problem during this incipient period, as it has continued to be (Crawford, 2001). Chapa (1977) found that in program implementation it was important to consolidate public and staff support before embarking on BE programs, as many in the 1970's in Texas were imposed from above and suffered numerous implementation problems and outright subversion.

***Support from court and administrative rulings***

Early 1970's Court cases such as *Castañeda v. Pickard, Lau v. Nichols*, *U.S. v. Texas*, *Aspira v. New York*, and *Serna v. Portales* upheld and consolidated provisions of national and state level bilingual education initiatives without being overly prescriptive. For example, in the *Castañeda* case, the court held that districts that provide appropriate programs for language minority students that are based on sound educational theory, are reasonably calculated to effectively implement the program, and vaguely worded, must produce results in a reasonable time (August & García, 1988, p. 7). Regulations such as 1974's Lau remedies gave further guidance to the implementation of bilingual programs. By 1974, the Bilingual Education Act was relatively supportive of native language development for all students, moving slightly away from BE's initial transitional and compensatory conceptualization, whereas, by the 1980's the Bilingual Education Act gave relatively more emphasis to English only approaches. As such federal policy has concentrated on providing financial aid for LEP children as well as civil rights enforcement of equal educational opportunity provisions (Crawford, 20).

***Texas Response***

By 1967-1968, the TEA developed new accreditation standards that allowed for instruction in Spanish on a voluntary basis (Zamora, 1977, p. 47). By 1968, TEA had created the position of Assistant Commissioner for bilingual education and an office of international and bilingual education. In the 1968 legislative session, HB 103, sponsored by State Representative Carlos Truan of Corpus Christi, made BE legal but optional and unfunded at the local level (Zamora, 1977, 49). It was a symbolic victory, but in reality

there was little support to implementing bilingual education except from a handful of districts and administrators. Truan unsuccessfully introduced a bill in the 1971 session that would have funded BE and made it mandatory for LEP students (Hardgrave & Hinojosa, 1975, p. 7). By 1973, SB121 made bilingual education mandatory through 6th grade and the legislature appropriated $2.7 million for the 1973-1974 biennium (Bernal, 3). LEP students in districts with 20 or more LEP students in 1st grade were to receive at least 3 years of bilingual instruction or receive such instruction until they achieve enough English language proficiency to perform in the mainstream. Yet, the legislators also hastened to add that English was to remain the basic language of instruction at all Texas schools. There was great support among Latinos, although some Latinos expressed concern that their children would slip back into a culture of poverty as this policy was a threat to their upward mobility. Anglos often reacted negatively or supported it as an assimilationist bridge (Hardgrave & Hinojosa, 1975, p. 9). A critical factor remained whether local leadership supported the implementation of BE (Chapa, 1977) and there was significant anxiety raised amongst monolingual teachers who feared the loss of their jobs. Many teachers actively opposed bilingual education in principle as well, which made implementation spotty at best (Hardgrave & Hinojosa, 1975, p. 12).

By 1975 consolidation of support for bilingual education was reached: the legislature limited the mandatory aspect of BE to 3rd grade, but they appropriated over $15 million. In establishing a 'norm' that still is operationalized in classrooms throughout the state today, fourth and fifth grade BE was optional and the State would not pay for any BE in the sixth grade or beyond (Zamora, 1977, p. 57). Court and federal policy

decisions supported and directed the spread of bilingual education programs (Bernal, 1978, p. 4). By the 1975-1976 school year, 187 school districts were funded with state bilingual dollars (Zamora, 1977, p. 55).

In a study of members of the Texas legislature, it was found that legislators did not distinguish between transitional models and maintenance models of BE. For those who did distinguish between the models, maintenance BE was seen as too costly. Additionally, the Speaker of the Texas House favored limiting bilingual education to up to 3rd grade, so others did not want to push beyond that. Interestingly, it was found that some South Texas legislators did not support BE because they feared losing Anglo support, more particularly Anglo teacher support (Bernal, p. 166). In one dissertation done at this time, it was argued that teacher belief systems and ideology mattered for the success of bilingual education: if teachers and administrators of any ethnic/racial group had positive attitudes toward "disadvantaged" youth, they would have a positive attitude toward bilingual education (Chapa, 1977).

**Contemporary Era: Bilingual Education as a contested space**

The term bilingual education in contemporary times is used to refer to a broad range of programs with distinct methodologies and ideological orientations toward linguistic and cultural diversity, some of which are more assimilationist in orientation, while others are accomodationist or additive. The majority of ELLS in the country are not in full bilingual education programs, but rather are in some form of immersion or English as a Second Language approaches (García, 2001; Krashen, 1986). Immersion, or "sink or swim" models have been common in the past and variants still remain as the dominant

model that immigrant and ELL youth encounter in U.S. schools. Straight immersion models provide no support outside the regular classroom and structured immersion models provide concrete scaffolding opportunities for language development in L2, English, occasionally using the child's native language for clarification.[9] Structured immersion, in combination with skills based approaches to English literacy have emerged as the most common forms of instruction in California, where proposition 227 eliminated bilingual education (Stritikus & Garcia, 2003). English as a Second Language approaches are commonly used, particularly in the secondary school context. In Texas, very few districts continue bilingual education beyond the elementary grades, as ESL is the approach used in middle and high school (TEA, 2000).

The 1980's saw an increasing emphasis on quick transition to English and discourses around students shifting to Standard English as rapidly as possible in order to have access to equal educational opportunities. This assimilationist discourse, however, has been dominant among policy-makers since the inception of bilingual education programs in the 1960's, as even the initial passage of Title VII crafted bilingual education as compensatory and as a means to eliminate students' language handicap (Freeman, 1998, pp. 41, 66-67).

Past and contemporary policies have disciplined features of language, with the result that "the lack of English proficiency 'marks' the ethnic and linguistic minority as surely as skin color marks African Americans" (Dueñas-Gonzalez, 2001, p. xxxiv). So in

9 L1 is used to refer to the native language of the student, while L2 refers to the second language, which is often English in the schools.

some sense, even the compensatory oriented bilingual programs have contributed to the racialization of Latinos, a concept that conservative Latinos have utilized for the elimination of bilingual education (Rodriguez, 1973). Public opinion polls demonstrate the U.S. public's consistent disapproval of the signifier "bilingual education", yet overwhelming support of the notion of children learning more than one language (Valdes, 2001).

***The English-only movement***

A broader structural analysis merits consideration, as contemporary bilingual education policy is constructed in an era when there has been a discourse of widespread concern with the large influx of immigrants. Despite a large amount of research directly rebutting these positions (Gonzalez, 2002; Light & Gold, 1998), a Princeton-based study found that "many perceive that immigrants (1) have a negative economic impact, (2) drain the social service system, (3) contribute to crime with little aspect of assimilation into the mainstream" (Suárez-Orosco & Súarez-Orosco, 2001, p. 25). An English-Only movement was established in the 1980's and gained support from different supporters over the last 15 years (Dueñas-Gonzalez, 2001). States such as Arizona, California, and Massachusetts have passed increasingly restrictive and punitive English-only proposals that effect pedagogical practices and severely limit the use of Spanish or the native language in the classroom (Crawford, 2003). Other states continue to support its use and have expanded dual language programs, which was instrumental in defeating the anti-bilingual education initiative in Colorado. Hill (2001) considers actions around the perceived threat to the nation state from increasing numbers of immigrants to be about

organizing social space around race. Therefore, programs with English-only and Americanization perspectives perform racializing functions during times of "language panics."[10] Giroux (2001) also claims that the growing movement over the last 20 years to implement English-Only laws and to eliminate bilingual education is rooted in a possessive investment in whiteness and a complex legacy of racism and its success "is due to its ability to suppress those 'dangerous' memories and subordinate forms of knowledge in which the subaltern not only speaks, but plays an active role in shaping history" (xii).

The current design and application of publicly reported English proficiency tests occurs within normative policy frameworks that reify transition to all-English academic environments. This general transitional framework serves to mark immigrant languages and students; as Freeman (1998) reminds us,

> in both the transitional and the pull-out ESL models, the native language of the LEP student is implicitly defined as a problem that needs to be overcome in order for the student to participate equally in the classroom. By extension, the LEP student is implicitly defined as a problem that needs to be corrected. (p. 67)

This problem to be "corrected" is linked to Omi and Winant's (1986) notion of racial processes that produce the privileges of whiteness in practices that appear as common sense notions, in this case the simple 'technical" issue of rapidly acquiring English in schools (Hill, 2001). Hill considers assimilationist and English-only pedagogical actions result from deeply cultural principals within the U.S. that construct a

10 Jane Hill adapts this term from Stuart Hall and states that language panics, such as the ones around state and national official English proposals and Proposition 227 in California, are not really about language, but about social organization around the socially constructed category of race. Subtle instruments like the reading proficiency tests in English then are part of a whole range of practices in contemporary racist culture which are never condemned as racist and appear as "common sense".

perceived threat to the nation state from increasing numbers of immigrants and languages and consequently help inform the organization of social space around race. Critical Race Theory perspectives argue that programs with English-first and Americanization perspectives currently perform racializing functions, as U.S. residents are engaged in a societal language panic.

***Opening spaces or reproducing inequalities Emergence of dual language programs***

Two-way dual language programs promote a language as resource orientation and have potential to incorporate power-explicit approaches to language which promote cross-cultural understanding (Freeman, 1998), and expanded student opportunities in the long run (Thomas & Collier, 1996). Over the past twenty years the number of dual language programs in the U.S. have expanded from 30 in 1987 to 304 in 2004. Most common in the elementary school context, two-way dual language programs are characterized by language minority and language majority integration for at least 50% of the time at all grade levels, a balance of literacy and content instruction in both languages, and a balance of language minority and language majority students (Center for Applied Linguistics, 2004). There is a large variety of success, with previous attempts in Central Texas ISD being characterized by poor planning, implementation, and a lack of staff commitment (Maxcy, 2004). Despite their potential, currently there are no dual language programs in Central Texas Independent School District. Emerging research in this area (Amrein & Peña, 2000) has shown that implementation problems are substantial, and ascribed democratic values around language and students are subverted by student segregation and catering to English speaking rather than Spanish-speaking students. However, these programs have been growing in popularity and their defenders were key to defeating an English-only proposition in Colorado.

## MANDATED TESTING? ASSESSMENT AND ENGLISH LANGUAGE LEARNERS IN HISTORICAL CONTEXT

### Early use of assessment

Educational accountability systems in the United States that employ standardized testing practices can be traced back through various historical efforts to centralize and professionalize educational institutions that often dealt with immigrant students and families. This includes the use of IQ testing to support more centralized comprehensive high schools in the progressive era and even early efforts at professionalization and centralization during the common school movement (Tyack, 1974; Spring, 2001). The early twentieth century boom in "high-stakes" intelligence testing created a way of seeing for policy-makers, a way of organizing students and teachers for school managers, and a way to respond to social change at the point of the school door. Fass (1980) posits that as immigration disrupted the societal order, education used information, such as that delivered through the use of improperly normed IQ tests, to sort and create order.

Large scale testing of students was developed from about 1900 to 1930, when IQ tests were used to place and sort students in an atmosphere that was characterized as more complex, ethnically diverse, and crisis ridden. Partially in response to labor market conditions at the beginning of the century, compulsory school laws were established concurrent with the consolidation of the comprehensive high school as schools struggled to manage multiple educational goals and purposes. Similar to contemporary socio-cultural contexts of schooling, these group administered IQ tests were implemented in a systematic manner when large percentages of immigrant and poor students were entering school and demands were placed on schools to provide literate and at least vocationally

skilled graduates. The schools could then provide a "form of social order and meritocratic evaluation" (Fass, 1980, p.431). For example, the U.S. Senate Immigration Commission in 1908 reported that 58 percent of all students in schools in 37 selected cities across the nation had fathers who were born abroad. The corresponding figures for some of the larger cities were even higher: 72% for New York, 67% for Chicago, and 64% for Cleveland. Additionally, in the nationally trend setting New York City Schools from 1899 to 1914, there was a 60% increase in student enrollment (Tyack, 1974, p. 230).

The group testing procedures could be used to efficiently sort students and organize larger and more complex learning institutions that met those demands. This was done with IQ tests such as the popular Stanford-Binet that deliberately excluded Mexican-American, African-American, and children of color from the construction of the standardization sample. Only White children were included in the norm group. Most test developers and education professionals shared common perceptions of minority children as inferior intellectually with lower levels of educability. Just as with the current accountability trend, the early twentieth century boom in "high-stakes" testing created a way of seeing for policy-makers, a way of organizing students and teachers for school managers, and was a response to social change at the point of the school door. As immigration disrupted the societal order, education used information, such as that embodied in IQ tests, to sort and create an ostensibly meritocratic order (Fass, 1980).

**Slow development of assessment Instruments specific to English Language Learner youth**

During the period of institutionalization of bilingual education policy, little mention or emphasis on the role of assessment in bilingual programs as SEDL and other regional organizations, with support from the federally funded Lau regional centers, scrambled to come up with materials and program models, and evaluation tended to be

secondary to program development concerns and needs (Anderson & Boyer, 1970). The 1968 Bilingual Education Act created no specific evaluation indicators and the Federal government did not require any evaluation of student performance until 1975. In the early implementation of bilingual education programs, the General Accounting Office blasted the U.S. Department of Education in 1975 for their lack of information on bilingual programs and evaluation mechanisms. In one needs assessment, several areas of concern were cited. Instruments that were available were not being distributed and schools were unaware of the instruments available and therefore did not create a strong market for test publishers. National Assessment and Dissemination Centers were passive in disseminating information on bilingual assessments and consistently did not add new instruments. Many of the assessments available in the 1970's made little technical information available and thus were hard to judge as to appropriateness. Many were simply translations (Locke, 1978). In addition, in the 1970's, the language assessment instruments used had poor content and predictive validity (Zamora, 1977, pp. 115-125). Implementation continued to be the focus of policy efforts, as in this initial period bilingual education practices varied widely, and surveys found that there were substantial amounts of poorly planned and implemented programs. Many BE classrooms were not all that different from English-only classrooms in that Spanish was used only for specific translation or clarification purposes (Zamora, 1977, p. 257).

**Modern accountability and standards movements**

Contemporary accountability movements use evaluation in a more systematic and sophisticated manner and employ elements such as disagregation of data by student

subgroups and high-stakes consequences for schools and students. These modern efforts at school accountability trace some origin to the debates and policies emerging around 1983's *A Nation at Risk* and the resulting discourse of crisis that consolidated around public schools (Amrein & Berliner, 2002). The standards-based movement gained momentum in the 1980's and a highly influential series of Governor's association meetings and publications helped garner support for the movement (U.S. Department of Education, 1991). Currently, accountability systems such as the one envisioned in the 2001 No Child Left Behind Act, are promoted by their supporters as means of achieving efficient allocation of resources while also providing an equity-oriented "agenda that focuses on improving achievement of 'low achieving students in our Nation's highest poverty schools' and assuring that all students make progress and achieve rigorous standards" (Educational Researcher, 2002, p. 35).

The most common large-scale tests used nationally are the Stanford Achievement Test and the National Assessment of Educational Progress (NAEP), which has been used to judge or measure state-level accountability test validity and will continue to do so under No Child Left Behind. Most test-based accountability systems contain goals for desired system and individual performance, provide quantitative measures of performance in relation to the goals, set attainment targets, and provide identifiable consequences (Hamilton, et. al., 2002). Hamilton, Scherer, and Klein articulate a fundamental and power-laden assumption underlying test-based accountability systems: "the information and incentives that are built into these systems are not only beneficial

but necessary for ensuring that school personnel commit themselves to the goal of improving student achievement (Hamilton, et. al., 2002, p. 7).

## ACCOUNTABILITY AND REPORTING POLICIES

### The birth of the Texas Accountability System

In Texas, testing had been systematically coordinated since the 1980's, but when the minimum-competency-oriented TAAS began to be employed as a high-stakes instrument in 1993 it formed a part of a comprehensive accountability system that also held schools accountable for attendance and dropout rates. At the both the state and national level both major political parties have supported accountability measures. State Democratic Representative Scott Hochberg of Houston has stated that Texas' test-based accountability system won Republican representative and constituent support for public education (Aléman, Black, & Maxcy, 2004).

### Principles of the Texas Accountability System

The Texas Education Agency describes the development of the Texas Accountability System and its underpinning principles as such (TEA, 2004):

> Over the years TEA has worked closely with public school personnel and others to develop an integrated accountability system. The 2004 system is based upon the same principles that guided the development and evolution of the previous system. These principles are:
>
> STUDENT PERFORMANCE The system is first and foremost designed to improve student performance.
>
> RECOGNITION OF DIVERSITY The system is fair and recognizes diversity among campuses and students.
>
> SYSTEM STABILITY The system is stable and provides a realistic, practical timeline for measurement, data collection, planning, staff development, and reporting.

STATUTORY COMPLIANCE The system is designed to comply with statutory requirements.

APPROPRIATE CONSEQUENCES The system sets reasonable standards for adequacy, identifies and publicly recognizes high levels of performance and performance improvement, and identifies campuses with inadequate performance and provides assistance.

LOCAL PROGRAM FLEXIBILITY The system allows for flexibility in the design of programs to meet the individual needs of students.

LOCAL RESPONSIBILITY The system relies on local school districts to develop and implement local accountability systems that complement the state system

THE PUBLIC'S RIGHT TO KNOW The system supports the public's right to know levels of student performance in each school district and on each campus.

**Testing and Reporting Policies**

Several testing and reporting policies have been introduced to monitor student progress. This has occurred over nearly 15 years and as the policy testing and monitoring instruments have grown and matured, the comprehensiveness of the system has increased dramatically. Most important high-stakes tests and reporting policies currently in operation in Texas have been developed by the state in contract with private firms and are now responding to both State and Federal mandates. A list of important reporting and testing policies are included in Appendix B, while several that are particular to ELLs and immigrant youth are listed in Appendix C. These include the Spanish TAAS and the state's English reading proficiency examinations.

***Spanish TAAS and the development of English Language Proficiency Test in Texas***

Immigrants and ELL youth have expanded throughout the country, as well as within Texas. Although high-stakes accountability testing has been a part of most Texas schoolchildren's' lives since the early 1990's, much of the growing, predominantly

Spanish speaking population of LEP youth were exempted from such testing in the first few years of the program. Exemption of large percentages of LEP youth, particularly in a few large urban districts, sparked significant institutional and public concern for system gaming, data distortion, and the loss of equity and performance effects for LEP youth and the schools that educated them (Valenzuela, 2000; TEA, 2000; TEA, 2002). Actions that emerged demonstrate an accountability system-sustaining incrementalism (Lindblom, 1950), played out by agendic institutional actors (Scott and Christensen cited in Rorrer, 2002) that designed instruments and techniques to include ELL and immigrant youth more cohesively within the Texas Accountability System.

The first step toward LEP inclusion through testing regards the inclusion of Spanish transadapted11 TAAS into the calculations of accountability ratings for schools and districts. It was officially introduced in grades 3-6 in 1997 in order to increase the participation of LEP students in the accountability system. Prior to 1997, many LEP students (immigrant and non-immigrant alike) were typically exempted from testing for up to three years. During the 1999-200 school year, the State Board of Education limited the exemptions to this category of "recent, unschooled" immigrants.[12] However, feeling

11 "Transadapted" is the term TEA uses to describe the translation and adaptation of the English TAAS to Spanish.

12 For LEP exemptions, students must be identified as LEP, participate in an ESL or bilingual program, have resided outside the United States for at least two consecutive years, be in the first three years of enrollment in U.S. schools, had not received a rating of advanced on the RPTE and also the Language Placement and Assessment Committee (LPAC) has to determine that "the students schooling outside the U.S. did not provide the foundation of learning that Texas requires and measures on TAAS" and"the student's progress by the spring of the school year has not been sufficient to make up for the differences in his or her schooling outside the U.S". For second and third year exemptions,the LPAC must document how 'the extensive absence of schooling outside the U.S. resulted in such limited academic achievement…that an assessment in either English or Spanish is still inappropriate." (TEA, 2002b, 21-22) The labyrynthian process of determining LEP status for testing exemption status, as opposed to for PEIMS, or Public

pressure primarily from predominantly Mexican-origin South Texas school districts, the State Board postponed for one year (until the 2000-2001 school session), the one year maximum for exemptions. Then in April 2001, Senate Bill 676 passed, only a few weeks before the TAAS was administered. This action reversed the policy, returning to the traditional three-year window for exemptions, albeit retaining the narrower exemption category of "recent, unschooled immigrants." As a result of these changes in LEP exemption eligibility, in 1999- 2000, the state-wide LEP exemption rate dropped from 20% to10.7% (TEA, 2002b, p. 6).

Efforts to include ELL students in the accountability system were part of an official institutional effort to "ensure an assessment of LEP students that was reliable and equitable, and that would prove to be useful [tools] for improving both student learning and the overall effectiveness of Texas schools" (TEA, 2000, p. 1). The Texas Reading Proficiency Test in English was introduced in 2000. The RPTE is constructed around the Texas State reading objectives and items are developed to target three broad developmental categories of English reading proficiency: beginning, intermediate, and advanced. Accordingly, students receive categorical performance ratings in one of those three categories. All immigrant and LEP-identified children in Texas public schools take the RPTE in grades 3-12 until they reach the "advanced" performance level, at which point they no longer take the test. Data are presented publicly at the individual level and

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Educational Information Management Systems purposes reflects an incrementalist taxonomy that also stimulates inclusion in testing through requiring ever more work and documentation in justifying that exemption.

in the form of cohorts, i.e. the percentage of students in a cohort making annual progress from one performance category to the next. Although the information is reported publicly, no direct high-stakes sanctions have yet to be attached to poor performance on this test (TEA, 2000, pp. 6-8). Advocates have now chosen to advocate for "equal access to mandated testing." (TEA, 2000)

**English proficiency testing in federal policy**

The debates over the role, design, and value orientation of accountability systems also included discussions of how to test and incorporate immigrants. State-level inclusionary efforts for accounting for all students, including ELLs in Texas may be traced to the federal government's 1994 reauthorization of Title I of *The Elementary and Secondary Education Act*. This reauthorization required states to implement comprehensive accountability systems for schools and districts receiving Title I funds. Title I is the largest federal source of aid to schools- $10 billion- and targets assistance to school districts with low income and 'at-risk' youth (U.S. Department of Education, 2003). Additionally, in 1994, Goals 2000, another national government initiative, provided some funding to states to create their own assessment systems (Ravitch, 2001, p. 2). Currently, states distributing Title I funds to school districts must set up yearly goals that measure and categorize as adequate the Annual Yearly Progress (AYP) for academic achievement of all students, including ELLs. Beginning in 2002-2003, states began reporting AYP on English Proficiency as a requirement for receiving Title I funding (U.S. Department of Education, 2002). As many LEP and immigrant youth attend Title I schools, efforts were thus undertaken around the country to develop English

proficiency measures for LEP youth. These new federal requirements contain elements of the new discourse of equity through testing as they were "a response to concerns among some civil rights advocates that schools serving large numbers of poor, minority, and LEP students set lower standards for their education" (Ruiz de Velasco, 2004).

The *No Child Left Behind Act* (NCLB), which was drawn from President Bush's Texas experiences, has many provisions that mirror accountability provisions already in place in Texas, including mandatory annual testing of all students in grades 3-8 and performance accountability measures for schools and districts, including a measurement of progress in the acquisition of English language proficiency for LEP youth (Ruiz de Velasco, 2004). NCLB consolidated the Bilingual Education Program and the Emergency Immigrant Education Program into the Title III State Formula Grant Program. Under Title III (*The English Language Acquisition, Language Enhancement, and Academic Achievement Act)* immigrant youth were targeted for inclusion in English language tests and resources ($650 million) were initially provided for professional development, teacher training, and evidence-based research on effective programs for ELLs. In addition, reflective of a new English-first orientation, initiated by the Bush administration, the Office of Bilingual Education and Minority Language Affairs (OBEMLA) has been restructured and retitled the Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students, or OELA. OELA described the purpose of accountability measures tied to Title III funds as "to ensure that limited English proficient (LEP) students, including immigrant children and youth, develop English proficiency and meet the same

academic content and academic achievement standards that other children are expected to meet. Schools use these funds [from block grants] to implement language instruction educational programs designed to help LEP students achieve these standards. State educational agencies (SEAs), local educational agencies (LEAs), and schools are accountable for increasing the English proficiency and core academic content knowledge of LEP students" (U.S. Department of Education, 2002, p. 5).

Title III signals the importance of rapid, measurable acquisition of English as a preeminent social and pedagogical goal. As a condition for receiving funds, local educational agencies have to produce biennial evaluation reports to state agencies describing programs and activities that are directed to LEP students and as well as provide a description of "progress" made by students on acquiring English. This includes reporting on the percentage of children transitioned into classrooms not tailored to LEP children. Parents must also be informed of their child's English proficiency and given information about enrolling them in English-only programs (U.S. Department of Education, 2002, pp. 11-13). However, given the potential for many schools to be named low-performing solely as a result of LEP student performance, the Bush Administration has recently relaxed Annual Yearly Progress in measured English reading proficiency goals for ELL students.[13]

[13] The U.S. Department of Education posits that this "new flexibility will allow LEP students, during their first year of enrollment in U.S. schools, to have the option of taking the reading/language arts content assessment in addition to taking the English language proficiency assessment. They would take the mathematicsassessment, with accommodations as appropriate. States may, but would not be required to, include results from the mathematics and, if given, the reading/language arts content assessments in AYP (Annual Yearly Progress) calculations, which are part of the accountability requirements under NCLB. Since LEP students exit the LEP subgroup once they attain English language proficiency, states may have

**District accountability and Bilingual Education initiatives: Rigor, surveillance, and consistency**

***The Principles of Learning Initiative***

The Principles of Learning Initiative has been operating for several years and seeks to create a "high-performance learning community." It seeks to epistemologically reorient educators through "effort-based education [that] assumes that sustained and directed effort yields high achievement, but can also create ability. Led by Lauren Resnik at the University of Pittsburgh it seeks to inscribe 9 principles in the culture of the district: organizing for effort, clear expectations, fair and credible evaluation, recognition of accomplishment, academic rigor, accountable talk, socializing intelligence, self-management of learning, and learning as apprenticeship. Clear expectations and accountable talk were amongst the first principles introduced, these principles aim to have students talk about their own learning process and thus be able to articulate the purpose and process of their engagement with rigorous tasks that have clear indicators of successful work attached to them. Therefore the use of rubrics and criteria charts became a district wide expectation their use common, as they were clear evidence that learning walks in the district and one of the clear pieces of evidence examined in learning walks. The district described learning walks as: "an organized visit through a school's learning areas using the Principles of Learning in a nonevaluative manner. In a collegial Learning Walk, staff may focus on a particular Principle of Learning to improve educational practice (www.ctisd.org/educators/principlesoflearning/index.phtml)." However, some

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difficulty demonstrating improvements on state assessments for these students. Accordingly, the other new flexibility would, for AYP calculations, allow states for up to two years to include in the LEP subgroup students who have attained English proficiency" (U.S. Department of Education, 2004).

classroom teachers identify them as educationally disruptive and intrusive rituals used by management to micromanage the classroom. The learning walks are perceived by some campus based personnel as ritualized uninvited visitations of several adults who around their classroom for a few minutes, ask questions of kids who feel the need to give the "right" answer, and then evaluate the efficacy of the teacher based on scant evidence (See Maxcy, 2004). So, there is often conflict over the purpose and implementation of the learning walk policy. They do see them as evaluative, since feedback is given by those with more ascribed power, and often as unfair, as such an evaluation is done based solely on a few minutes.

***Blueprint plan***

The Blueprint plan also has shaped how accountability policies have played out in the district and set a clear message of top-down management and affiliation to standards based management. The Superintendent of the district stated at the time of its introduction in 2002 that "the plan is based on a set of unwavering goals and expectations and set of non-negotiable practices" (www.ctisd.org/blueprint).

***Instructional Planning Guides***

The IPGs, or Instructional Planning Guides had been introduced in the Spring of 2002 by the District Curriculum department. They were introduced as guides to curriculum planning over all grade and subject matter, but not as scripted curricular mandates. They were put together under a major time constraint and were introduced as "nothing scientific". Over the next three years they were revised and made more

comprehensive, as well as introduced as more rigorous and accurate to District principals and teachers. By the beginning of the fall semester of 2002, they were introduced as mandatory. At the same time, beginning, middle, and end of the year benchmark exams were introduced in order to predict performance on the TAKS, which had yet to ever have been given to students. As such, there was no idea as to whether they were actually valid and the examinations were based on curriculum that often had not been covered, so it should not have been a surprise that many students did poorly on the exams. (Personal Communication, Sarah Nelson, July 23, 2004).

One result of these initiatives and focus in combination with state and federal assessment and accountabilities is visually represented in the extremely busy and important Calendar of Central Texas ISD testing, which trumps other initiatives and policies. The calendar is reproduced in Appendix E.

***Bilingual Education: LEP students and transition***

From my own experience working in the District of study and from conversations with bilingual teachers, District Bilingual Coordinators, and principals it is clear that there was great variability in the degree of native language, or Spanish instruction both between and even within schools. For example, on more than one occasion while I was Assistant Principal in charge of bilingual education programming, we would receive students from other schools who might have received Spanish dominant instruction one year with a fluent teacher and then the next school year this same student would receive almost all instruction in English (due to the teachers fluency, language and assimilationist ideology, work ethic, materials, etc.). Even though each school received similar materials

and District bilingual manuals, each school provided a different model-from a couple of incipient efforts at dual language instruction, late transition, early transition, and virtual immersion. However, most campus based bilingual programs operated from an early to mid transitional bilingual education program. Despite District bilingual coordinators assignments to large amounts of schools, significant programmatic ambiguity and tension around how and when to transition students to an all-English environment within the Elementary school contest was always present.

One consistency is the absence of bilingual education and the extensive use of ESL instruction at the Middle and High School levels. Thus, Elementary teachers and administrators had to plan for and envision a Middle School experience for their ELL students which was not only institutionally more complex, full of class transitions, but also almost entirely in English, except for the most recent immigrants (generally having arrived from 3rd grade through 5th grade) being engaged and performing well in all English "regular" classes. This scenario was reflected in comments at Márquez. Additionally, in my experience as an administrator visiting the feeder middle school, our upper elementary grade staff and I considered the educational environment of Middle School ESL classes as less rich than the "regular education" classes. One investigation of a middle school ESL class in the district conducted by an Anthropologist found that ESL-designated LEP students who were taught in the ESL portable building for most of the day, referred to the main building as "la otra escuela" and "la escuela regular" [the other school and the regular school], even though they were enrolled in the same middle school (Biggs-Coupal, Personal communication, 2003). Certainly not all middle school ELL

students experiences are similar, but many bilingual elementary teachers and administrators feel pressure and responsibility to fully transition students into English while they have some control over that process and the students are in the protective fold of the Elementary school environment.

Half of the district's LEP identified students are officially exited from bilingual education after 6 years, with 22% exited in the 5-6 year time period, which aligns with fourth grade for the students who began with the district in Pre-K. More students exit in fourth grade than fifth grade (CTISD, 2003, p. 20). As I witnessed in Ms. Wood's 5th grade room, as the subject matter gets more complex, there is a group of ELL students who are seen as being behind and often evaluated as not being competent in either language. Isaac is one of those students.

In the 2002-2003 school year 76% of Central Texas ISD's third graders passed the Spanish Reading TAKs in the March administration, while 70% passed the Spanish Math. By comparison, the third grade English reading passage rate was 88%. In fourth grade 76% reading, 64% math, and 88% writing in Spanish. Fifth grade Spanish TAKS examinees had passage rates of 66% in reading, 52% in math and 20% in science (CTISD, 2004, p. 14). All of these are lower than the state averages, except for the writing. When the test became a high-stakes measure the following year, passage rates rose, reflecting a focus of time and resources

## DEMOGRAPHIC AND SOCIOECONOMIC TRENDS

The state and federal policy webs described in the previous sections are developed, implemented during an era of tremendous growth for varied and diverse Latino and immigrant populations. In this section, I highlight a few national-level demographic and socioeconomic trends pertinent to complexities involved in the schooling of ELL students, who are now being incorporated more completely into school performance efforts. I also discuss certain national and state level trends of the last two decades are also discussed in reference the Márquez Elementary community context. See appendices D and E for further information.

### National Trends

#### *Growth of the immigrant population*

According to the 2000 census, nearly one in five U.S. residents speak a language other than English at home (Crawford, 2003, p. 1). Projecting from the current rates of growth, by 2044, the majority of American residents will be minority language speakers, as 42% of the foreign-born population arrived in the 1990's (Crawford, 2003, p. 1). Legal immigration in the United States has risen from 4.5 million (1971-1980) to 7.3 million (1981-1990) to 9.1 million (1991-2000) (U.S. Department of Justice, 2001). The amount of school-age children with at least one immigrant parent trebled from 1970 to 1997 (to 20%) (Ruiz de Velasco and Fix, 2001, p. 1).

#### *Immigration and poverty*

From 1970 until 1997 the immigrant poverty rate increased from 17 to 44% (Ruiz de Velasco and Fix, 2001, p. 23). Between 1970 and 1995, 60 percent of the 5.7% rise in

the U.S. child poverty rate is associated with immigrant children (Ruiz de Velasco and Fix, 2001, p. 2).

***Latino immigration***

Mexican immigrant and Mexican-American average (26 years) age is also much younger than that of non-Mexican-Americans and corresponds to ages in which families are having children that will be attending public schools. Whereas the average non-Mexican family contains three persons, the average Mexican origin family contains four individuals (González, 2002, pp. 7, 10). In 1999, 66.5% of the Mexican origin population was either a first or second generation immigrant (González, 2002, p. 7). There was a 152% increase from 1980-2000 in the use of Spanish in the home environment (Crawford, 2003). Latinos make up 56% of immigrant children, and they are 75% of all LEP students (Ruiz de Velasco, 2004).

***English Language Learners and schools***

It is estimated that 20% of all ELL students at the High school and 12% at the Middle School have missed two or more years of schooling since age six (Ruiz de Velasco, 2004). Despite decade-long development of accountability driven reform, in 2001 secondary school responses to immigrant students (which tend to be pull-out ESL programs) can fairly be characterized as lacking, as only 20% of ELL 10th graders met minimum standards on all three high school exit level tests (Ruiz de Velasco, forthcoming). Concurrently, increasing segregation in schools (Orfield & Yun, 1999) have resultede in ELL and immigrant youth being concentrated in particular schools.

Almost two-thirds of all students in the U.S. attend schools with less than 1% LEP enrollment, whereas about half of all LEP students attend schools where 30% oo more of their fellow students are LEP (Ruiz de Velasco and Fix, 2001, p. 3).

## State and District trends

### *English Language Learners and Texas Schools*

Within Texas schools, Latino students now outnumber Anglo students (42% to 40%), while 72% of Texas teachers are white (TEA, 2003). Texas is second only to California in the number of LEP students enrolled and more than 90% of the LEP students enrolled speak Spanish as their primary language. (TEA, 2000, p. 6) During the 2002-2003 school year, Bilingual/ESL program enrollment was 13.1% of total school enrollment and Bilingual /ESL-designated teachers accounted for 7.5% of the teaching population in Texas. The budgeted instructional operating expenditures linked to bilingual/ESL programs were 4.3% of total operating expenditures (TEA 2003; 2002b). From 1997 to 2001, the percentage of LEP-identified students in Texas public schools rose from 13.4% of the total student population to 14.5%, a gain of over 100,000 students (TEA, 2002a; TEA, 2002b). In terms of bilingual education program participation, there are dramatic declines after third and fifth grade, transitional years for many students, while ESL program support peaks in 6th and 10th grades (TEA, 2000, p. 6). The graduation completion rate for 2001 was officially only 73% for Latino students (TEA, 2002b), although other estimates drop this rate to below 50% (Haney, 2000).

As these shifts have occurred and the numbers of immigrant students have increased in tandem with rising performance expectations, schools continue to struggle

with differentiated institutional and input constraints (Darling-Hammond, 1998; Valencia, et. Al., 2000). For example, labor shortages of bilingual teachers continue to be severe and systematic and many of the bilingual teachers that are employed have limited vocabulary and underdeveloped skills in delivering native language pedagogical content to immigrant students (Guerrero, 1998; 2003). Many administrators are not bilingual and are unaware or unsupportive of research that supports a 4-7 year time period for academic language acquisition (Cummins, 1995; García, 2001). Spanish language materials needed to prepare students for the outputs of testing are also limited, and even the high-stakes tests themselves are problematic in their low or unexamined predictive validity for immigrant student populations. For example, the Spanish language versions of the Texas high-stakes assessment instruments are transadaptions of the English test, a practice characterized by psychometricians as inadequate (Hauser, 1999; Valencia & Suzuki, 2001).

***District Trends and Demographics***

Central Texas Independent School District serves 78,000 students and has 74 elementary schools. Fifty-one percent of District students are Latino, 14.4% are African-American, and 31% are White (TEA, 2004). During the 1992-1993 school year English Language Learners comprised 10.7% of the district student population. In ten years time that figure doubled to 20.7% or 16, 284 students. Ninety-three percent of those students spoke Spanish as their first language and 95% of the designated LEP population officially received some form of Bilingual Education or ESL support. Sixty-four percent of the districts' ELL population is in Elementary school-centered Bilingual Education

programs, whose aim is to exit them from bilingual education and transition them to mainstream classrooms by 6th grade at the latest (CTISD, 2004, pp. i, 2-4).

## MÁRQUEZ ELEMENTARY

### Community Characteristics

Márquez Elementary is located in an urban community[14] where 25% of the population is African American and 51% is Latino. Forty six percent of the households in the neighborhood earned less than $25,000. Forty-two percent of the occupied units are rented, 20% have no vehicle, and 29% of the renter population paid more than 35% of their income for housing. This is in a neighborhood where 96% of the owner-occupied units are valued at less that $100,000 in a county where the median value of owner occupied units is $125,000. Forty-seven percent of the population 25 years or older has less than a high-school diploma and 46% of households with children have a grandparent responsible for some caregiving activities. Forty-five percent of the population in the community speaks a language other than English at home (95% of this subgroub speaks Spanish), while 16% of the community's population was foreign born (96% of whom were born in Latin America) in the year 2000. Eleven percent of the population in the community entered the United States between 1990 and 2000, producing substantial shifts in Latino enrollment at Márquez elementary (2000 U.S. Census Factfinder, Zip Code tabulation data). These neighborhood characteristics correspond with other studies which evidence a correlation between minority concentration and income inequality (Tienda & Li, 1987).

[14] Community-level statistics refer to the geographical postal zip code around the school.

Located 10-15 minutes from downtown, Marquez Elementary administrators spoke about incipient gentrification of the neighborhood. For the first time, this year they were dealing with an Anglo couple who were taking trips to New York and Europe and felt the priviledge to "somehow not believe they need to take their child to school every day." The principal reported that construction of new homes valued up to 200,000 in the neighborhood. Several "we buy houses" signs are scattered in neighborhood lawns.

Driving through the neighborhood, one would encounter many small, weatherbeaten houses and several empty lots. Spanish and English service Churches appear scattered throughout the neighborhood. A few of the evangelical, Baptist, Pentecostal churches are housed in recognizably "church-like" buildings, while others appear to occupy converted residential homes. Cement statues populate the neighborhood's lawns, and ubiquitous Virgin Maries watch over the school children as they walk home. Driving up the largest hill in the neighborhood reveals lower middle class housing with views of the surrounding neighborhood, the city park located 3 blocks from the school, and in some places the outline of downtown buildings. The neighborhood is home to a night-time entertainment joint, "The Shack," a small red building with a low ceilings residing on a corner, opening its doors on weekends. On the busiest street in the neighborhood, a catfish restaurant and a small grocery front a park. Two other small elementary schools are located nearby and in contrast to Márquez Elementary, they have recently struggled with staying above the low performing level on the state high-stakes test.

**School characteristics**

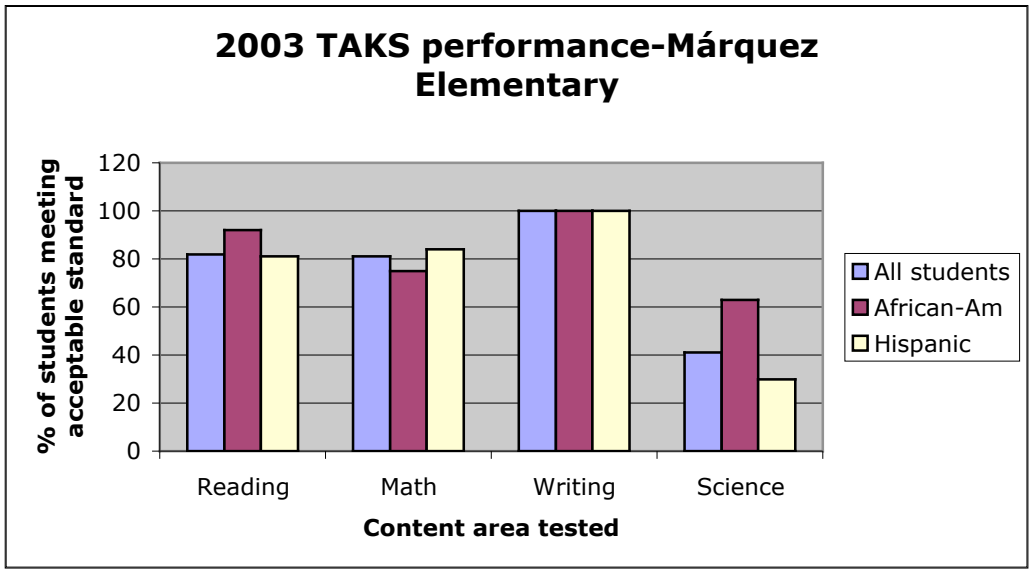
Márquez Elementary currently serves Pre-K through 5$^{th}$ grade students, as in 2002, the school lost its 6$^{th}$ grade when it was absorbed by the feeder middle school.

During the 2002-2003 school year, the school had approximately 370 students enrolled, 19.6% of whom were classified as African-American, 78.7% as Latino, and 1.7% as White. Sixty-eight percent of the students are officially demarcated as "at-risk", 91.6% as economically disadvantaged, and importantly for my study, 30.8% as "Limited English Proficient."

Reflecting trends seen in schools with similar race and class student enrollment profiles (Darling-Hammond, 1998), 20% of the teachers at Márquez are in their first year of teaching, and 47% have 5 years or less of teaching experience. However, there are 11% of the teachers with 6-10 years of experience and another 11 with over 20 years of experience. The majority (58%) of the teachers are white, although 32.1% are classified as Hispanic. Because of the relatively small size of the school (350), the campus leadership costs are twice that of the state and district average. Teacher and administrator salary levels are about equal to the state average. (TEA, 2004b). Many of the teachers have been at Márquez for more than five years and a core group of bilingually certified teachers at the school are either native or fluent Spanish speakers. This serves as a contrast to many other schools that serve language minority and immigrant youth that suffer from the shortages of bilingually certified personnel or who employ bilingually certified personnel who are not fluent in L2, or the native languages of the students they serve (Guerrero, 1999, 2003).

**Trends in TAKS Performance**

The school has been labeled "Recognized" in the Texas Accountability System rating system[15] for the past two years and has manifested growing success as measured on the TAAS and now TAKS assessment. Márquez has a significant and expanding bilingual/ELL population that outperforms the English-only population on standardized, high-stakes tests. Below is a summary of the Spring, 2003 TAKS results (aggregating English and Spanish test results).



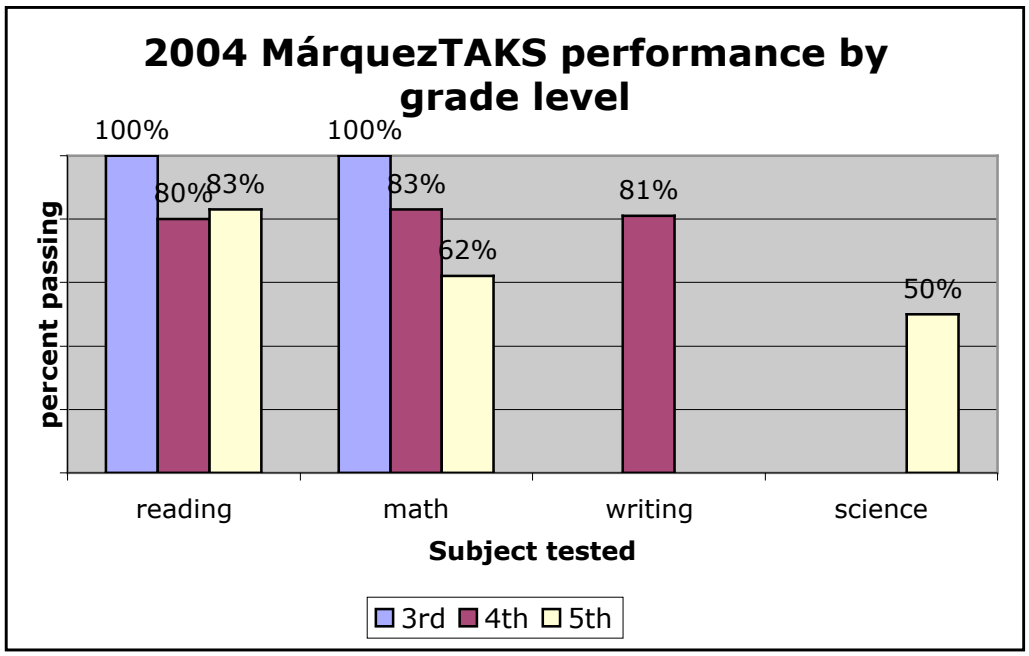

During the 2002-2003 school year, Spanish TAKS-taking students passed the test at higher rates than their English test takers, including 100% passage for Spanish 3rd grade reading and 100% for Spanish writing in fourth grade. This reflects the general

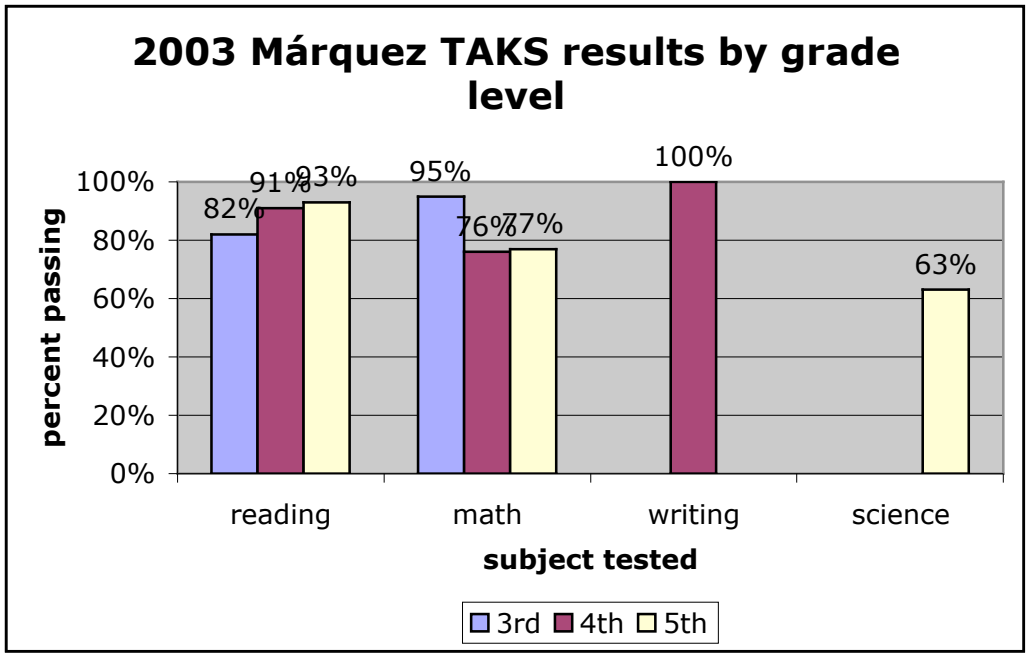
[15] The performance categories under the AEIS rating are low-performing, acceptable, recognized, and exemplary. It is noteworthy the Márquez is one of very few schools in the east side of town (usually poorer with a population of color), that has received this rating. For the 2003-2004 school year, with the introduction of the science test, not one single school (elementary or secondary) on the lower income, predominantly minority side of town earned the highest ratings- recognized or exemplary (May, 2004; TEA, 2004b)

trends in school performance on the TAAS and now TAKS, which shows a steady rise over the previous four academic years. For instance, in 2000-2001 there were no subcategories of students with a passage rate of 90%, whereas in 2002-2003 17 distinct student subcategories (like 3rd grade Spanish reading or 4th grade African-American math, for example) had passage rates in excess of 90% (TEA, AEIS, 2003).

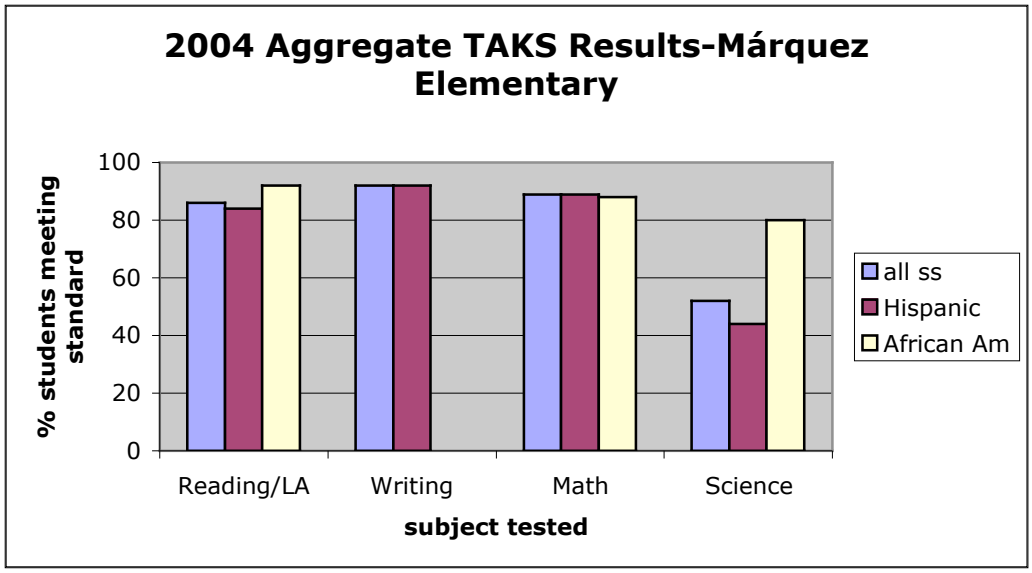
**Campus performance for 2004**

During the course of my study, the 2003-2004 school year, Márquez dropped one accountability performance level from "recognized" to "academically acceptable." Márquez's test results on the reading, writing, and math TAKS did not vary greatly from 2003, when it did earn recognized status. The drop in status was due exclusively to student performance on the newly introduced 5th grade science examination, which also dropped the performance status of a myriad of schools around the state. The two graphs presented below display the percentage of students meeting minimum expectations.






The campus did make Adequate Yearly Progress as required by NCLB. When examining the 5th grade cohort, their 3rd grade 2001-2002 performance levels were a reading and math passage rate of 90%, and a Spanish Reading and Math passage rate of 100%, indicating a slight drop in passage rates over time, with a particularly dramatic lower rate of passage for the newly introduced science test.




In the Central Texas Independent School District, the 2004 TAKS results from Márquez reflected trends in the district, where the number of rated and exemplary campuses dropped to approximately 20% of all campuses, with academically acceptable campuses constituting the majority (72%), with 5 campuses receiving the lowest rating (TEA, 2004 Campus Accountability Data tables). The Superintendent stated in a news release that performance on the science test hurt the district: "Without a science test, more than half of the campuses would have been rated exemplary or recognized, including schools with predominantly economically disadvantaged students." (CISD website news release, September 2004). No school on the less affluent side of town, divided by the interstate, scored in the higher rating categories, a step backwards for the district. This performance is also due to the large gap between the academically acceptable passing standard (25%) and recognized passing standard (70%) in science. In terms of AYP, eight secondary schools did not earn failed to make AYP for two years in a row, meaning that up to

10,000 students would be eligible for transfers after the school year had started (May, 2004).

## PARTICIPANTS

### Márquez elementary staff

#### *Márquez Elementary Administration*

The school experienced relative stability in institutional leadership as the principal, ***Maria Gamez***, completed her 7th year as principal of the school in the Spring of 2004, while ***Camila Largo***, the Assistant Principal, also a Spanish-speaking Latina, is in her seventh year in that position after she had served the community for many years as a teacher at Márquez. Ms. Gamez previously served in the District as a bilingual teacher and director of professional development. She also taught cohorts of aspiring bilingual teachers pursuing alternative teacher certification through the regional educational service center. It was in that capacity, as my instructor ten years ago, that I first met Maria. I had also kept in touch with her through administrative meetings in my capacity as an administrator in the District. At the end of the year, Maria was promoted to central office- Assistant Director of Bilingual Education based on the success of Márquez Elementary.

Camila Largo headed the Language Placement Committee at the school and was in charge of administrating the TAKS test. She expressed interest in the position of principal at the end of the year, but quickly learned she was not able to apply for a principalship in the District because she had not submitted her application by the

appropriate time. In June the school board appointed a candidate from outside the district as the new principal of Márquez.

***School Support Staff***

***Lorrie Karl*** is an Anglo counselor in her 50s who came to Márquez in January, having worked as a counselor and teacher in Kansas. She worked in a community outside of Topeka with 20% Native American students. She characterized her previous school as progressive with innovative parent education programs, multiyear classrooms and looping arrangements. Lorrie feels hampered by her inability to speak Spanish. It was clear to her when she started at Márquez that the TAKS was a "very big deal", but she did not see that as a local problem, but rather a pragmatic response to pressures from

District, State, and Federal policies. They were, after all, just starting to feel the effects of No Child Left Behind when she left Kansas, so she thought the testing-centered phenomenon that she encountered in Texas would be soon be shared throughout the country.

***Amanda Brown*** is an Anglo counselor who has been at Márquez for two and a half years under a U.S. Department of Education grant. She is a thirteen-year veteran in the District who taught grades 2, 3 and 5. Prior to that, she spent a year at a private school teaching pre-k. She went back to social work school and got a masters in social work, but since, as she stated, "the district is not progressive enough to hire social workers to do counseling in the schools," she enrolled in a certification program in school counseling so that she could work in the schools as a counselor. She was in middle school for a year and then counseled at a large multilingual elementary school for a year-and-a half before coming to Márquez. She has a private counseling business that she does

part time and in the fall of 2004 she returned to school full time to pursue her Doctorate in Human Development.

***Lorena Soriano*** is the Parent Training Specialist at the school. A Mexican-American, she speaks Spanish and previously worked with the constable's office as a truancy officer. When I first met Lorena in the fall, she relayed that several students knew she had worked with the constable's office and that she works on the weekends with police in an adjoining town, and that they referred to her as the "undercover cop." She was in her first year as the Parent Training Specialist and was removed from duty on the last day of school.

***Mary O'Reilly*** serves as the Curriculum Specialist. She is a twenty-year veteran Anglo teacher who has been at Márquez for many years. Mary provides curricular support to teachers. She also plays an administrative role when Maria and Camila are absent. After the resignation of the 5th grade teacher, Mary spent a significant amount of time in the classroom as the primary instructor, "shaping up" the classroom behavior and academic environment. She worked all year to insure that the 5th grade students received instruction making aligned with the TEKS and the IPGs.

***Márquez Teachers***

I spent time in ***Gloria Camarillo's*** third grade bilingual classroom. Alternately playful and strict, in her teaching Gloria alternates fluently between a Caribbean accented Spanish that is distinct from her students' Spanish and a Spanish inflected English. Ms. Camarillo is from Puerto Rico originally, and similar to her second and fourth and grade bilingual teacher colleagues at Márquez, Spanish is her first language. Her command and use of academic Spanish or CALPs (See Cummins & Skutnabb-Kangas, 1998; Krashen, 1996) is notable. She is a twenty-three year veteran teacher, having taught at Márquez for

the majority of her career with the reputation of being a relentless, excellent teacher. Because of this reputation, along with her students consistently excellent results on the TAKS (100% passage of reading and math tests over the past two years), she was selected by the District to teach intensive summer school to third grade immigrant students from other schools who had not passed the TAKS in the Spring. These students would be retained if they were not successful with the final version of the test. Other teachers wander into her classroom during breaks to socialize and to ask her for ideas.

In January, ***Melissa Woods*** eagerly accepted my proposal to participate and observe in her fifth grade classroom. She was new to the class and to the school, having taken over the class at the end of December. The class had been taught for two months by a combination of substitutes, Camila Longo and Mary O'Reilly after the original bilingual teacher unexpectedly quit in early October. The administration was desperate to hire Ms. Woods as the students had, by their own admission, had inconsistent instruction and poor discipline. Half of her students started the year as LEP classified, but after Ms. Woods was hired many of the parents signed a denial of bilingual education services, as she was neither bilingual nor ESL certified. Regardless, the administration wanted to fully transition the students to English-only instruction in 5$^{th}$ grade.

Melissa is an Anglo monolingual English-speaking teacher in her second year of teaching. She has many teachers in her family, which she feels inspired her to become a teacher. She taught for a year in Dallas and when her husband was transferred to Central Texas and she began substitute teaching in second grade at Márquez. Melissa's class was small by district and state standards: 13 students, half of whom were transitioning

bilingual students. Her students performed lower than other classes on the TAKS, although they improved throughout the year, according to benchmarks and practice TAKS assessments. Four students were special education exempt, and only 2 of the 9 students taking the TAKS in her class passed all three sections of the test. The four ELL students who this year transitioned to English-only instruction for the first time took 12 total sections of the English TAKS (4 students multiplied by 3 subject areas). These students only passed 2 math sections, or 15% of the 12 total sections. Melissa did not return to Márquez in the fall of 2004, telling me that she wanted to find a school that "feels more like an elementary school, rather than a business."

***Rosa Lopez*** is a veteran teacher of 29 years who grew up in Central Texas speaking Spanish at home as the daughter of immigrant parents. However, she and her brother were physically punished for speaking Spanish in Elementary school and to this day, she expresses a strong sympathy for bilingual education. She received a scholarship to attend St. Edward's University to become a bilingual teacher. She was in the very first 1975 graduating cohort of bilingual teachers produced at the university. Some of the first federal Bilingual Education Title VII grant funds for bilingual teacher preparation supported her college education.

Rosa taught in Corpus Christi and then moved back to Austin and taught at a Latino-dominant school in the District for twenty-one years before moving to Márquez to serve as the bilingual Reading Recovery teacher in the 2000-2001 school year. In the past year, the District made the decision to eliminate these positions so that they could convert those teachers to school-wide reading support specialists. So, this year Ms. Lopez was not attending to individual first grade students, but rather groups of students from second through fifth grade. She primarily taught students from second and third grade in her classroom in the first part of the year. After the administration of the early March third

grade TAKS exam, the principal directed her to concentrate her efforts on fourth and fifth grade students preparing for the late April TAKS test. She had contact with each of the student participants in the study.

**Student participants**

***Isaac*** is a fifth grade student in Melissa Wood's class. Large boned with an accepting, sweet demeanor, Isaac has expressed a desire to work with his father in the construction business. During the time I interacted with him and the class, he always engaged in school tasks and activities and seemed to get along adequately with his peers, particularly those that spoke Spanish. Many of his interactions with peers are in Spanish. He interacts with his seven siblings and older family members in Spanish, with some communication in English since his family wants to learn English, even his older brother who just came in from Mexico and is enrolled in ESL classes at the feeder high school. His mother is enrolled in ESL classes and Isaac spends a fair amount of time taking care of his one and three year-old siblings. This responsibility figured into the decision not to attend summer school.

Since the very beginning of my contact with the school, Isaac was identified by the principal, reading specialist, and several teachers as a student who is struggling and in need of additional assistance. The urgency was made greater by the campus-based decision to test all fifth graders in English, which was partially driven by the absence of bilingual education in Middle School, where Isaac would be next year. Five years ago, Isaac's family immigrated from Mexico for about a year and Isaac attended another elementary school in Central Texas School District for parts of first and second grade. They then returned to Mexico for a year and Isaac returned to Márquez in the second semester of third grade. He had appendicitis and then an infection, resulting in two

operations and many abscences for a student who was already behind. So, he repeated third grade and passed most sections of the Spanish TAKS in third and fourth grade at Márquez previous to the current year. However, this year he failed all three sections of the TAKS in English, relating to me that he really struggled on the English reading and language arts sections.

His schooling experiences on both sides of the border can be characterized as interrupted. He had the least amount of English fluency in the class of thirteen students and this is his first year in an all-English instructional environment. During much of the year, he received additional pull-out support from the curriculum specialist and reading teacher, an hour a week of additional support from a retired bilingual teacher, as well as two hours a week of after-school TAKS focused tutoring.

***Juan*** is a third grade student in Gloria Camarillo's class. Gregarious, he often displays an easy, quick smile. During third grade, he became much more comfortable in English and preferred to communicate in English over Spanish. His family immigrated from Mexico 7 years ago and he was born in the U.S. The household is Spanish speaking, and his mother is currently attempting to learn English. He has attended Márquez since Pre-Kindergarten. He took and passed both the Reading and Math TAKS in English this year.

***Ramón*** is a third-grade student, also in Gloria Camarillo's class. Cheerful, he was often quiet in class, but rather animated with friends and siblings in the cafeteria and after school. This is his second full year in U.S. schools. His mother and teachers reported that in Mexico, his attendance at low-quality schools was inconsistent. Ramon arrived at Márquez during the second semester of second grade and was placed in a bilingual classroom. The principal and LPAC committee decided to retain him and he repeated second grade before being promoted to third grade. Ramón, his mother, and his teacher

contrast his academic performance with that of his second grade Sister, who was doing well in the content areas and learning English. They expressed concern that she might 'pass' him, even though he was almost two years older than her. He is receiving instruction primarily in Spanish. He took and passed the Spanish reading and math TAKS, although the school LPAC committee debated in the early Spring whether to exempt him from the exam under the category of "recent, unschooled immigrant."

***Sharon*** is a third-grade student in Gloria Camarillo's class. She is the only non-Spanish speaking child in her class, as well as the only African American student in the class. She came to Márquez late in the fall semester from a school outside the district, so under Texas state policy regulations, her TAKS score didn't "count" in the official performance ratings of Marquez and Central Texas Independent School District. Ms. Camarillo had asked me to work with Sharon and therefore I had access and interest in her despite her non-immigrant status. When I asked Ms. Camarillo why Sharon was in her class, which had all Latino students who were first to second generation immigrants, she said that sometimes she got English monolingual students who were behavior problems, or who were not working well in other rooms. According to my original research design, I would not have included a student like her in the study, but her race, language identity, and status as a non-counting student brought me different and valuable insights. Sharon has attended 4 schools in the last two years, although her mother and grandmother attended Márquez and her family has multigenerational roots in the community. She scores consistently below passing rates on the benchmark assessments and practice TAKS scores, and her peers, as well as the teacher consistently constructed her as the student least likely to perform well on the TAKS. She did, however pass the TAKS reading and math with the lowest possible passing scores.

## SUMMARY AND GUIDE FOR READER

In this chapter, I included historical perspectives on bilingual education and accountability and high-stakes testing policies, as well as discussed more contemporary developments, with particular emphasis on Texas state policies. I included a discussion of the demographic shifts at the national, state, and local level that have a strong influence on the construction and implementation of bilingual education and accountability policy development, implementation, and evaluation. I then briefly portrayed Central Texas ISD as a performance-centered district with historically variable bilingual education policy. Towards the end of the chapter, I introduced the community and school context of my study, TAKS performance data, and then sketched many participants that are included in the following chapter.

# CHAPTER FIVE

## "It is a hard victory": *Contradictions and tensions at Márquez Elementary*

### INTRODUCTION: CONTRADICTIONS AND TENSIONS AT MÁRQUEZ ELEMENTARY

On May 6, as I walked into Márquez Elementary, I passed posters that demonstrated how the school had reached "Recognized" status from the Texas Education Agency for their performance on accountability measures, most notably the TAAS, and now TAKS assessments. Maria Gamez, the principal, asked me to hold on a minute, as she had some news to share with me. She was speaking to a parent in Spanish and hugged a couple of students who were coming in to start the school day. As with every child in the school, Maria knew their names, how they were performing academically, and usually something meaningful about their lives. With Camila Largo, the assistant principal at her side, she told me "It is a difficult decision, but I am leaving Márquez." "Congratulations," I noted, thinking about her seven years of dedication and hard work, which led to significant high-stakes student performance gains, particularly for English Language Learners (ELLs). Largely because of the school's success, she was now moving to the District's Central Office, where she would be in charge of implementing dramatic and systemic changes in the bilingual program. She noted that the Superintendent had wanted her to move up to Central Office for over a year, but she had resisted because she loved being around kids in her job as principal. However, the Superintendent had created a new position in which she could have a systematic impact and she felt that she could not refuse the opportunity. Maria and Camila were hoping that Camila could stay on as the principal to build on the successes the school had attained.

Three hours later I emerged from the school with teacher and parent perspectives on tape. In those interviews, the participants recognized positive aspects of the school and the complications of having to deal with top-down accountability policies. However, the majority of the themes that emerged from those conversations complicated, and in many ways, directly contradicted the victory narratives represented in my encounters with the Principal and other staff members. These participants eagerly shared "victory with collateral" counter-narratives, discussing such issues as the over-emphasis on test performance, the business-like environment in the school, the high levels of stress and anxiety for teachers and students, the excessive disciplining of student bodies, the inevitability of locally-mediated testing practices leading to dropouts, and the establishment of a type of managerial professionalism that constructed parents as "little people."

In this chapter, I interrogate and unpack some of the school-wide discursive and material practices that contribute to the success of Márquez Elementary students on the TAKS test, particularly immigrant and ELL students such as Juan and Ramón. I also examine broader practices that contribute to stories of success. Ms. Camarillo, the third grade bilingual teacher whose entire class passed both English and Spanish TAKS in the last two years, characterized these successes as "hard, hard victories" in which she felt that policymakers and district officials asked her to "hacer maravillas", or "do miracles" with her bilingual students. I also describe and interpret substantial contradictions and tensions in the performed victory narrative around Márquez, some aspects are embodied in the experiences of Isaac and Sharon.

I begin the chapter by describing a TAKS pep rally. A symbolic event that describes not just a single performance enhancing activity, it reflects a deeper engagement with promoting and sustaining a culture of performance. Using inductively

produced categories and themes that emerged from my participation, observation, and interviews at Márquez in this chapter, I examine tensions and contradictions within standards-based reform policies at the local school site, particularly as they relate to ELLs and bilingual education policy. This is most powerfully reflected in the various ways Márquez is not simply a high-performing school, but rather a school that creates and normalizes a performance culture-a school where performance is disciplined. Moving from analyzing symbolic and socio-cultural constructions of performance, I then look organizational structures and behaviors that maximize time and efficiently organize bodies in support of the performance culture. In the next section, I analyze how State and District policies that promote tightly coupling curriculum standards, pedagogy, and assessment are vigorously translated into the Márquez setting through tightly coupled management and monitoring systems, before turning my gaze to leadership behavior in the school. I then examine some of the major effects of a performance culture in a tightly coupled organization: there are deleterious effects of stress, anxiety and conflict.

In the last major section of the chapter examines how bilingual education policies are lived within Márquez's performance-oriented culture. I begin by articulating and recognizing material benefits English Language Learners and staff receive as a result of some aspects of the asset oriented, tightly-coupled performance culture present at the school. I then discuss the positioning of bilingual education and native language instruction policy and practice as limited, interfering, or as failure in the context of the dominance of accountability performance discourses and practices, and the structural impediments inherent for ELL students in their transition to the secondary school context. In the conclusion, I briefly review how the case study students were positioned and positioned themselves within the discourses and practices outlined in the chapter.

## DISCIPLINING A PERFORMANCE CULTURE

### Peppin' for the TAKS

On Monday, February 23rd, I arrived at Márquez at 7:40 a.m. and walked by the marquee announcing today's TAKS pep rally. The following day, the following day, the fourth graders were to take the first high-stakes examination of the year, the 4th grade writing TAKS. Smilingly, the principals had told me the previous week that they were going to spend part of their weekend dying their hair and rewriting the lyrics to the tune, YMCA, substituting "Y-M-C-A" with a new chanted chorus, "T-A-K-S". I could not help but reflect on the irony of appropriating a song that homosexual performers used to queer institutional heteronormalcy 25 years ago to inspire and motivate elementary school children to perform on a high-stakes test.

Some students were eating breakfast as I cruised by the cafeteria. Walking down the hall towards the gym, I heard music and rattling noises. I made my way through several parents, respectfully listening to the TAKS rally in the hallway outside of the gym. As I entered the edge of the pep rally, I saw four or five teachers smiling and clapping, moving around groups of students. The fifth grade sat in three lines at the front of the cafeteria with students in descending grade levels seated in lines behind them- all facing forward. Ms. Smith, an African-American early grade teacher was at the front of the crowd, exuberantly leading chants. "Beat the TAKS!' she shouted into the

microphone in rhythm with the bass lines of the music, alternating with "Get a 4!"[16] , as students were exhorted to chant along.

As students and their parents arrived and moved into the gym, each were given blue and white pom-poms. One parent who happened to be in my ESL class told me that a group of parents had been working on making butcher paper cut-out blue and white pom-poms for three days. The PTA president approached me and told me that they did a rally every year. This year, however, they made new pom-poms because the old ones looked bad. The music and chanting continued and then Ms. Soriano, the parent training specialist, saw me, smiled, and quickly provided me a set of pom-poms as I became a participant observer waving and gyrating my pom-pom with the parents, teachers, students, and administrators. I noticed the area superintendent, Mr. Lions, pom-pom calibrated to the beat, at the back of the gym.

Ms. Gamez and Ms. Largo then appeared at the front of the crowd and students gasped, laughed, and giggled at their blue tinted hair. They immediately joined in the "Beat the TAKS" and "Get a 4" chants still being led by an even more animated Ms. Brown, who in turn introduced the main attraction, Ms. Gamez, with great zeal. Throughout the assembly 5th graders seemed less enthused, cooler and less likely to participate in the arm pumping and singing than the younger students. Maria introduced Mr Lions as a celebrity guest. The students turned and clapped for him. He responded with a smile and a couple of waves of his blue and white pom-pom. Within a minute, he

[16] The fourth grade Writing TAKS has a multiple-choice section and a writing section. Students' essays are scored with a rubric, with 4 being the highest score and 1 being the lowest score.

walked out of the gym, made a phone call in the hall, walked back and forth in the hall for 30 seconds, then put down his pom-pom and walked out of the building.

Music still pumping, albeit softer, Ms. Gamez started out stating that she and Ms. Largo had worked over Saturday, that yes they work on Saturdays, and that they had made up their own words to a song. "Who here knows that YMCA song?" About a third of the students raised their hands. "Well we are all going to sing along, using T-A-K-S instead of Y-M-C-A and Ms. Largo will show you how to do the movements." Standing at the front of the gym, Ms Largo then demonstrated to the students the movements to accompany each letter of the new choral refrain. The students were taught to do a little T so that they would not hit each other, then the A,K, and S movements. A staff member then turned on the tape and the administrators started singing and reading their own newly minted, motivational test-centered lyrics, having the kids move and sing "T-A-K-S" for the chorus. The teachers and many students were smiling, singing along with the chorus, and moving their pom-poms, which I unenthusiastically fluttered up and down as well.

After they finished singing, the second, third and then first grade classes got up and read "cheers" that were a few sentences long and placed on large pieces of butcher paper hanging on the gym walls. The second graders had to repeat it a couple of times, as they had not practiced and the recitation consisted of the teachers reading the butcher paper. After they said them, students would clap and shake their 'cowbells', which were old plastic coke bottles with beans in them- homemade shakers that the parents had put

together along with the pom-poms. Ms. Smith then returned with a booming version of "Beat the TAKS" and we all moved our pom-poms and shook our cowbells.

With great energy, Maria Gamez stated that last year the 4th graders had scored 100%! "You did such a great job and you can do it again 4th grade." I know we can do it again, she pronounced. She reminded them that they had strategies that they could use tomorrow and to remember those. She reminded them to eat well and to get a good night's sleep. She said that she believed and cared about them. Then they were reminded to be serious in their efforts: "You need to do it with care," she reminded them.

At the end of the rally, the community's gaze focused on the 4th grade students. Ms. Gamez and Ms. Largo told them that they could leave first and lead the entire rest of the school out of the gym. The rest of the school- students, parents, faculty clapped as they rose and started to parade out of the gym. Some fourth graders smiled, but many did not. The fourth graders returned their pom-poms into large, empty cardboard boxes, and with serious, flat expressions, the students marched out between those of us located at the exit. Each fourth grade student had a distinguishing set of beads around their neck (they were taking the test on Fat Tuesday). Then rest of the school moved out. Ms. Camarillo seemed slightly irked, ready to get back to work in the classroom.

During the rally and the "T-A-K-S" chorus, a Central Texas School District Police officer was standing behind me and walking around the school. Later, when I left I saw Ms. Gamez and Ms. Largo talking to him in Maria's closed office. Talking to him before and after the rally with blue-tined hair, they discussed the implications of a reported domestic violence incident in the home of a student.

**Normalizing collective performance**

Rosa Lopez originally thought the morning assemblies were a waste of time, but then she came around to support them because they help reach a common focus and set the environment for the day. She asks me:

> Have you been to the morning assemblies? Then you see that everyone cheers for one another and pats each other on the back. Like for the TAKS, everybody creates a poster and banner. It's like cheering for our team. That is something beneficial and there is a build up from first grade on.

The end of the high-stakes testing season arrived in late April. I entered the school the day the third through fifth grade students were to take the Math TAKS. Students in Pre-K through 2nd grade wore their Márquez t-shirts to school in order to show solidarity with the tasks of their elder brethren. Posters hanging outside of classrooms exhorted students to do their best and Ms. Woods, the fifth grade teacher, wore a white T-shirt exclaiming "Pass the TAKS". I walked into a relatively calmer morning assembly, where Maria took 20 minutes to exhort and cheer on the students the test-taking students. She went over strategies with students, as she and the students reminded each other of things to do that day: drink water, "push their thinking button" (a type of physical relaxation response), brain gym activities and other triggers for comprehension. Maria seemed to try to be as comprehensive as she could, a bit to the chagrin of a couple of teachers who seemed to just want to get on with it. A counselor spotted one student who seemed to be sleepy, noting that she needed to check up on him. Scanning over the rest of the student bodies, the counselors were ready to intervene to make sure all would be as productive as possible. Maria told the students that she loved them. She mentioned how there was a Friday sleepover planned for the girls and a field trip planned for the boys. She then reminded them that she would be visiting the classes during the day and how sad it would be for the boys to not concentrate or do their best, because they would then be in the

office while the others were having fun. Maria does not monitoring performance, over which she has little control over at this point, but effort, and uses threats and rewards to further her students' efforts. At the end of the assembly, Maria reminded them: "you need to do well not just for yourself, but for the school."

Pushing, supporting, and excoriating the students through a rally at the beginning of the testing season and an assembly before the last tests, the collective focus on TAKS performance served multiple purposes-both material and symbolic. They sought to motivate student effort and thus maximize individual and collective performance on each specific TAKS test. These young students had been receiving content knowledge instruction focused around the TEKS as well as explicitly articulated test-taking strategies for the high-stakes TAKS (such as consistently reading passages several times to insure complete comprehension). The rally sought to add excitement and motivation that would last throughout the season, while in the assembly sought careful, comprehensive effort at the end of a lengthy preparation cycle. If the students are motivated and concentrate to the best of their ability, then the test results with be made maximally valid- the students will show all that they know and concurrently the test will show the truest and most valid levels of performance of the students. Therefore, it is irresponsible, perhaps even an ethical lapse, to not give students the greatest opportunities to succeed in life because their test score was not maximized. Ms. Gamez had told the District personnel during their visit that one of the exceptional aspects of the school is that the staff works hard to have students take assessments seriously. They really work to make sure they get maximum effort on the benchmarks and the release TAKS so that they instill discipline in the young test takers as well as provide reliable indicators for predicting student performance on the "real" TAKS. The district personnel applauded her for this and spoke about how this is a concern on other campuses- students are not taking

non-TAKS assessments seriously enough and so school managers cannot accurately gauge what they know and adjust the delivery of curriculum accordingly. Therefore, in this curriculum-centered approach (Torf, 2004), students come ill prepared for the high-stakes test. This concern is also echoed in Texas Education Agency guides that stress the importance of appropriately timing the testing of bilingual students so as to not bias the test results (TEA, 2002,2004).

The pep rally is not only a public ritual that exposes meaning and values of the Márquez Elementary school culture, but it also helps to construct and annually reinvigorate important elements of that school culture. It does so by borrowing symbols and rituals from secondary schools embedded in the pep rally. It served to mark the beginning of the TAKS season, and soon all the other test-taking grades will be involved. The assembly served to ritually end it and carried rewards and sanctions for effort. The performance rallies and assemblies also serves as an initiation ritual for the early grade students, who learn the importance of performing well on the TAKS. The younger students participate in ways that teach them that the school's performance is important to their lives. As they read the "text" of the events, the third through fifth grade students are prepared to take the tests seriously, and are being disciplined to perform, as maximum effort and comprehensive use of strategies is normalized. Internally, students know that they need to prepare, and that they also will hold the reputation of the school in their collective hands and pencils. The younger students have time to participate in the construction of a cultural memory the emphasizes test performance. They now possess the knowledge that they too will need to perform individually in order to bring future fame or malady to the school.

In peppin' for the TAKS, the fourth graders were symbolically anointed as small TAKS warriors, who through their TAKS performance the following day, would defend

the culture and honor of the school. As the students left I projected some weight on the slight shoulders of the students, who now wore Mardi Gras beads like warrior plates. Their high performance has brought honor and glory to the school in the past, and it is expected that these students now continue the tradition, as well enhance their own individual possibilities.

The previous week had brought the adulation of the highest district staff, and this researcher was here partially based on the construction of Márquez as a successful school because of the bilingual students' test scores. In the current policy environment, schools with immigrant and low SES-populations most in risk of performing poorly on high-stakes tests (TEA, 2004; Valencia & Villareal, 2004). Student performance in these schools is indelibly linked to protecting the lifeworld of the school (Maxcy, 2004). High performance means that the school fortress holds- it does not become subject to District or State intervention, which could dramatically alter the school culture and ways of making meaning. The students' continued strong performance means that the state or district does not invade or penetrate with "focus school" interventions such as closely monitored curriculum delivery and weekly assessments. Already racialized students and schools are less likely to be symbolically marked as deficient, and more likely to be labeled positively, which translates into material benefits and opportunities. High performance translates into the relative protection of the school culture, and the further expansion of the reputation of the school, which then primarily benefits the adults working in the school, the leadership most of all.

So, the 4th graders, who are given the metaphorically warlike "beat the TAKS" message, are ritually sent out to battle. During the rally and assembly, the whole school was behind the test-taking students, and their performance was not simply about individual merit or competence, but also about the collective. High-stakes accountability

policies were mediated by going to battle. At Márquez, the TAKS is not only an high-stakes assessment, but a public performance of a broad, underlying culture of performance.

**The TAKS as hub: Organizing for 3rd grade performance**

On March 7, I walked into Márquez at 7:20 a.m. to observe the administration of the 3rd grade reading TAKS. This test was particularly important, as students who failed it could be retained in third grade.

***Organizing parents***

I caught up with Juan and Ramón in the cafeteria, where they were eating their first breakfast. They told me that their mothers were supporting them by telling them to eat in the cafeteria and later with the class. "¿Están nerviosos?" Are you nervous, I asked. "No, animado." No, excited, responded Ramón in a confident tone. I passed the practice test, he stated, so I think I will do ok. Both were taking the test in Spanish. Thirty minutes later they were ready for their second breakfast in the library, as the students' parents had set up a breakfast for both 3rd grade classes in the library. They had placed butcher paper over the tables and set places for each student to eat McDonald's muffins and drink orange juice. A few parents relayed to me that they were doing everything they could to help. As the students filed in at 8:00, I thought the students clearly knew the task ahead of them was important, and their parents were working with their teachers to insure that they do as well as possible.

***Organizing staff***

I walked by Ms. Wood's 5th grade classroom and found that they were taking the practice TAKS that day, since the school had to be especially quiet with the 3rd grade TAKS. When I asked how her students were doing, she said that she had been assessing the students weekly, and not all the students were at the passing level, but they had made 20 points or more of improvement and that is what is important to her. That is great, I said. Continuing to center improvement in her discourse, she noted that this had been particularly true for the science test, although they may not get all the way there.

When I left the school, I peered into Ramón, Sharon, and Juan's room (Ms. Camarillo's room) and all students had their heads down, concentrating. When I spoke with Ms. Camarillo a few days later, she said that her students took the entire day, but that she knows other third grade teachers who had students testing until 5 p.m. "That's ridiculous!", she exclaimed before talking about how district and state leadership need to come down and spend some time in the schools. There are too many tests, I did not even do the end of the nine weeks assessment, she noted. The success of her class and her school allow her to refuse and she demonstrates agency by determining which tests can actually tell her something. I asked Ms. O'Reilly and she said that was ok. "I do benchmarks the LAS (Language Assessment Scale), reading levels-these other tests mean nothing to me and just take away too much time." (Note Appendix D- the district assessment schedule). As an experienced teacher with a history of success, she is able to resist certain policies in organizing her efforts for the TAKS. Several teachers and staff members expressed frustration with rising numbers of tests and subjects tested. However,

a couple mentioned that with these changes, usually some resources are provided, especially to struggling schools and students. So, as unpleasant as it is, the staff can organize and target resources that they have and occasionally, additional resources. Even the most critical parent recognized the benefits of after-school tutoring for her daughter, who had been targeted for tutoring in reading because of systematic assessments.

When I called Principal Maria Gamez on Monday the 21st, she had the results back from the 3rd grade TAKS. All students in English and Spanish had met minimum expectations. That meant not a single student would have to be prepared for the late spring administration of the reading TAKS and none would be retained based on their TAKS performance. She knew each student's score. Ramón had passed, Juan had passed. Did Sharon pass? Yes, even she did-not a high pass, she passed by one question. Maria seemed quite elated.

***Organizing students***

Later in the week, I had lunch with the third grade students and both Juan and Ramón reiterated that they were not nervous about the TAKS because they believed that they had done well. They said that Ms. C had told them to keep reading the passages on the TAKS, and that four students got lunch detention because they did not keep reading. Some of the students then pantomimed reading to one of the students with detention. The students internalize the effective test taking strategies and discipline those who did not. The students could tell me what most of them had received-82, 84, etc. Their performance is individual, but shared collectively. In class, I talked with Sharon- how do

you think you did it-passed the TAKS? Smiling sweetly, she said " I just used my strategies, that is what made me do it. I felt good about it."

***Organizing for human and cultural capital***

About 70 or 80 students and their families arrived for math night in October. A British storyteller called for the students to come to the front of the cafeteria, where they sat in a semi-circle around the storyteller. She started with "sh," reminding the students that she was a storyteller and that it was important to stay quiet. The students stayed quiet throughout the storytelling as a whole, except for one student who was publicly rebuked by the storyteller (how would that have been received in a higher income area of town, I thought at the time). She quickly asked the students about her accent and where she was from. She said that that there was one famous person from her country that they should know. She waited, and no response came. Harry Potter, she confessed. So where might I be from? One student rose his hand, "Europe." Yes, it is in Europe, which is a continent, she said. Another said Paris. "Yes, it is the capital of France, which is another country". Another said something I could not understand. How many students understood her question? She must seem quite foreign to some of the students, wearing a Mary-Poppinesque outfit of the British storyteller. Yet had to tell them, to move on after no student answered correctly-"England." Certainly many of the students would have known Cantinflas and other Spanish language and Mexican referents. But, like with the TAKS, that was not being examined that evening and the cultural capital that the students did bring was reflected as sparse, incorrect or silenced.

While some research suggests that accountability reforms might contribute to decreasing performance gaps between populations (Mueller & Schiller, 2000; Scheurich, et. Al., 2001), and other research suggests that narrow curriculum and teaching and lack of experiential approaches associated with accountability reforms lead to greater gaps not only in measured achievement, but broader human and cultural capital gaps (McNeil, 2004; Kornhaber, 2001; Valenzuela, 2004). As practitioners, staff members at Márquez reflected on the difficulty of closing human and cultural capital gaps.

Ms. Camarillo said that it is so hard when students like Carlos have parents that hardly read and I have so much work to do with him. She discussed the theme of how the accountability system assumes that everyone is going to college and in effect erases differentiated human and cultural capital input. In contrast, she liked the system in Puerto Rico better where in secondary school students decide to pursue a college track or to start preparing for a job. She seemed angry at working so hard with the college assumptions, especially when those that design the policy don't know what she has to do. Gloria Camarillo, despite her students' 100% passage rate on the TAKS, continued:

> Here we have to do miracles and the teachers on the other side of town do not have to deal with what I have to deal with and they do not know. At least I do not have parents in my face all the time here, but I work with hard parents. I work with these kids all the time and stay up until midnight thinking about how to make it for each one that comes with different things. Those people who make policies do not know anything about what I have to deal with. It makes me so mad.

She critiques the standards-based movement's inability to capture fully the variables and irregularities that she deals with. I said that you must feel a lot of pressure, as you are used to your students doing well on the TAKS and then visitors like the Superintendent

come here to know the story of victory that comes from the school. But, you seem to be telling me it is not so simple, that it is really hard, I said. The story of organizing efforts that produce success with Márquez students is "a story of a hard, hard victory. People do not know how hard it is," she replied.

**Performance agency**

Márquez students learn that they carry the responsibility for performing on the TAKS. Lorrie Karl related that:

> here children talk about the TAKS, so children are taught that they have to make it happen-they have the responsibility…students can be taught to say at Márquez we can make the difference.

When I asked Juan, Isaac, Sharon, and others about the purpose of the Superintendent's visit, they said that people were coming to see the bilingual students. Thus, the students themselves recognize that the school is known for its bilingual students' performance. The students gain a sense of performance agency, one of the attributes that supporters of the accountability system state is a good lesson for the future, for students will inevitably enter a marketplace that is competitive and will reward a sense of performance agency. The administrators and teachers support a performance culture that puts the agency of students on tests as a cultural value. Thus, a myriad of efforts are undertaken to maximize students' ability to not only perform at their production possibility frontier, but to understand how to maximize performance on a range of evaluated tasks.

**TAKS as a big deal**

Lorrie Karl, the new counselor, commented that when she came to the school in January it was very clear that the TAKS was a big deal. But, she recognizes that this focus is not unwarranted: "you can't fault the administration or teachers because they

have to work with it and deal with the consequences." The day before the Math TAKS, Maria told the students in assembly to stay centered and told me that she was praying as there was not much they could do at this point to teach them. But, this "reality" was not without collateral effects, most immediately that "it can take away from the fun of learning." Melissa Woods, the fifth grade teacher who left the school at the end of the year, noted that many schools intensely prepare for the TAKS, but stated that Márquez was qualitatively different: "I feel that this [school] is very test oriented and number one is testing and these kids passing this test and that is how it is in a lot of schools, but the focus is more positive."

Several parents were also highly suspicious of 100% passing rates at several grade levels and implied that there might be cheating, although when I pressed them for evidence, they did not have it. They simply thought that if plenty of students were having difficulties in class, it was highly improbable that they would pass the TAKS at such high rates, particularly 100%. This reflects a more generalized distrust of the District and school's emphasis on performance. They read a social text of a performitivity culture that they do not trust. In this sense, it parallels McNeil's (2004) characterization of the Texas Accountability System as an Enron-like institution which sells falsehoods by inflating actual performance and hiding harmful or embarrassing practices from the investing general public.

More supportive perspectives linked the focus on "passing the test" discursively to broader notions of academics. When I spoke to a staff member about accountability policies, most particularly high-stakes testing, she responded that the school is "run

around academics." On two other occasions staff members referred to accountability policy management as being about running the school around academics. This discursive coupling of the testing regime with notions of academics thus creates space for progressive notions of reformist possibilities of the TAKS. Amanda, the counselor, felt that "If kids are able to meet those expectations, that helps them to be successful in academics. I think we should want that for all kids." Reaching the minimum expectations is then a bridge to broader academic success. She also felt that the TAKS simply measured achievement at a very basic level and that the expectation that students pass the test "is not unreasonable." Like Maria, she believed that there were inherent benefits organizing the delivery of curriculum so that all students could meet those expectations.

Some parents felt the TAKS-centered efforts misallocated values in the curriculum. Lori claimed that at the school everything focused around the TAKS or TAAS test. She contrasted her experience as a student at Márquez with that of her daughter. She used to go outside and tend the garden, bird feeders and play. Now, the students are inside all the time and the only reason they would ever go outside is to get a little bit of exercise. Several parents lamented the fact that their kids were not being exposed to a wide range of subjects. I interpret their discussion as a desire for a different allocation of values than reflected in the translation of the official state curriculum at Márquez. It also shows ways in which they envision school moving their children beyond skills-based approaches in a way that expands their experience. It reflects a desire for knowledge that they believe is eliminated as a result of test-centered orientations:

Lori: They are revolving the curriculum around the test. This is pretty much what is going to be on the test, you know, so lets learn this, lets learn this. What about science, what about social studies…I mean hello! Mt. Fuji and all this stuff, you know. They need to learn about cultures. They are in the melting pot, the United States, right, we have Asians, Hispanics, African Americans.

Roma: Everybody, Haitians

Lori: Swedish, Cubans, everything

Roma: I met a lady last week from Chechnya. She came over here because she was declared immunity and she was from Chechnya.

Lori: And you are like from Chechnya, and if you are like me I say who, who? If I don't know then these kids should know.

**Coordinating support and time**

Ms. Camarillo and Ms. Woods used lots of groupings in language arts to provide small group attention to students. Activities in Gloria's class were constantly modified by language and level- she constantly employed various communication styles to reach students. Given the language and skill variation in her class, she once told me that 'you may not want to interview me, because you will find out how difficult bilingual education is." It was really difficult, she said, to teach everyone.

One way she accomplished "teaching everyone" was to have students know well-articulated routines and be fairly self-directed in doing assigned tasks. The teachers also coordinated extensively with Ms. Lopez, the reading teacher to provide extra support to low readers and ELL students. Ms. Lopez worked primarily with 3rd graders in February and after they passed the reading TAKS, she focused almost exclusively on 4th and 5th graders, as she needed to get them ready for the TAKS. Because he was deemed so far behind, Ms. Lopez had worked with him all year, but did more work with him before the

TAKS. Ms. O'Reilly also worked with him. As well, a couple of monolingual English students from another class would come into Ms. Camarillo's class and participate in English guided reading instructional groups. Gloria and Melissa, as well as most of the upper elementary grade level teachers, participated in after school tutoring with students from other classrooms. Thus, there were ongoing attempts to coordinate resources.

As much as they wanted to coordinate support for students, teachers also wanted total control over their students, since they would be held responsible for them. Two years ago, Gloria said that she sent two English-testing students to another teacher for language arts and those were the only two who failed. She did not want to repeat that. Pulling students does not help, because students lost consistency. It was interesting to note that the interruptions of Gloria's classroom subsided after they all had passed the reading TAKS and less coordination and focus of support was needed.

**Test-taking strategies**

In a performance-oriented school culture, test-taking skills and strategies are central to the curriculum. In terms of investment of classroom time and effort, these efforts seemed to have positive return on investment at Márquez, as well as throughout the state, as passing rates have consistently risen over time as schools become more adept at preparing students for the test (McNeil, 2004; TEA, 2004). Test taking strategies have been incorporated into the curriculum and these approaches have effected a broader disciplining of students to approach issues and problems with care. This also contributes to the development of test-taking agency, which is a skill valued in a broader measurement society.

In Márquez classrooms, curricular content was guided by the delineated TEKS and District-level IPGS, and in pedagogical situations, this content was broken down into component parts for the students. Positivistic in orientation, this approach to learning favored breaking wholes down into its parts and then reconstructing them again- means of understanding the world that mesh well with paper and pencil testing, which favors reducing complex issues to its component elements (Heubert & Hauser, 1999).

Melissa Woods would read questions from the practice tests and regularly try to show her students how "they kind of give you the answer in the question." In science, she would try to focus on vocabulary and concepts introduced in the questions- something she herself considered slightly boring, but necessary. While in Ms. Camarillo's class, I observed her on several occasions explicitly point out to students how the developers of questions tried to trick or fool them and would praise students who articulated not only the right answer, but how the erroneous test answers could potentially trick them. Also, she was very attentive to having students use reliable strategies-ones that would work all the time. In addition, teachers spent time helping students identify patterns of words that might give the students an idea as to the type of question may be on the TAKS. Ms. Camarillo and Ms. Wilson regularly used Camico[17] and state produced TAKS worksheets in their classrooms.

[17] Camico is a private company that produces TAAS and now TAKS practice materials. These materials are regularly purchased by schools and school districts. In addition, Camico also provides professional development training and support on pedagogical strategies and data use.

***Proactive Redundancy and the assurance of quality***

Skrla, et. Al. (2000) spoke about successful Districts having developed proactively redundant systems. They describe proactive redundancy as "designing two or more processes whose goal is to change a same specific practice (p. 30)." In designing the inscription of a student ethic of reading to comprehension and writing to final draft form, several teacher and student centered processes were utilized proactively. Only finished writing was placed in public spaces. Rosa Lopez adapted her instructional use of KWL strategies to help students develop test taking agency and skill: "the students can approach TAKS like this-They look at a question and realize, K- what do I already know about this question, W-what do they want me to know, what does the question want, and L-what do they want me to show that I have learned." Students in both Ms. Wood's 5th grade class and Ms. Camarillo's 3rd grade class told me that they regularly read text twice to get the ideas. Then they would read questions and return to read the text again with the questions in mind. Isaac and others in Ms. Woods' class told me that they reviewed their answers to any difficult TAKS questions 2 or 3 times. They seemed to be aware of whether they did well on certain sections and could articulate why they struggled in others. Students also consistently wrote several drafts in the 3rd grade class and procedures were established where they would edit each other's work.

One day I worked with Sharon on a TAKS-oriented worksheet that was accompanied by a newspaper article. The article made reference to a hiking adventure. Sharon did not know what hiking was, and we talked about that. As she reads to me, she leans forward, makes phonetic mistakes, and reads slowly. Nevertheless, she knows some

reading strategies and can articulate them to me. Like Isaac and Ramón, she also tells me that she has to read the text twice for comprehension, which will take her an inordinately long time. She also tells me that she needs to read the questions three times. Redundancy is about assurances and the disciplining of comprehension strategies. One difficulty with managing this approach is that students like Isaac and Sharon would spend so much time on reading to comprehension or editing written work that these tasks could become arduous, boring, and ultimately unmotivating. The latter is reflected in the concern of Lisa, one of the parents I interviewed:

> Every week she [my daughter] will have a repeat in her homework. You know, once a week I say, Kiki, didn't we already do this? And she is like yea, but the teacher said we have to do it again, we have to do it again. Why? What is going on that they have to keep repeating? If they are going to repeat it, change it around a little bit.

Rebecca, another parent chimed in to clarify what repeating assignments was about for her. "That goes again with drilling. Drill, drill, drill. They won't learn if you keep drilling them."

Whereas the students would be revising, editing, and doing final drafts of their work in a proactive redundant system that searched for quality, a few parents felt that these efforts had been excessive, as they feared students felt that they were not allowed to make mistakes. One point of evidence for them was that displayed work had to be error free and they suspected that certain students' work was disproportionately represented in the publicly posted student work. They believed that the main purpose of demonstrating finished products was performative- to impress the Superintendent and other visitors. A couple of the parents read the posted work as a text of stress and anxiety in childhood environments that should be free of such pressure. Reflecting a learner-centered rather

than curriculum-centered critique, Roma did not believe what was occurring at Márquez was about kids:

> All children learn on different levels. No matter where you live or what color you are. Most of the time when you are in an environment where you are able to make mistakes, you will learn better. Where if you are in an environment where, ok, you have to do it this way, you have to do it that way-that puts a strain on your brain. And you are not able to learn freely because you are always afraid of making a mistake. And the kids here are afraid to make a mistake.

Lori added: "how do you tell a kindergartener, oh, baby, I can't put your work up on the walls because you colored outside the line?"

**Language and performance**

The district highly discouraged students from taking the Spanish Science TAKS, given the high level of Spanish vocabulary and concerns over validity of the transadapted test. However, Gloria Camarillo felt that at the school there is pressure for her third grade students to take the test in Spanish. That seemed odd, I commented, given that there seems to be growing pressure to transition students. It is because sometimes the Language Placement Committee believes that students will perform best in Spanish, she stated. As such, the test will be more valid measure of their abilities. At times she has felt that she wanted to push some students to try to take the exam in English and was told to simply recommend the language of testing that would be most likely to lead to a passing score. She did not mind having the students take the exams in Spanish, and supported the full development of the native language of students like Ramón, who she was urging to keep reading in Spanish over the summer. However, she felt that the decision on the language of testing was heavily influenced by pressure to perform.

**Maximizing Effort: Behavioralism, discipline, and performance**

The students were consistently reminded that effort would lead to success on TAKS and the future. Ms. Lopez stopped the fourth grade students and had them hold up fingers indicating how many of the three TAKS subject area tests they had passed. Smiling they each held up multiple fingers as Ms. Lopez reminded them that their studying and hard work had led to this success and then to others in the future.

However, as performance is central to the mission and values of the school, several parents expressed reservations about steps to maximize every student's performance. Lori, a parent, stated that she disliked the fact that for at least "two weeks before the TAKS they are inside studying, studying, studying, you know get it down, get it down. I am talking about whoever is going to take the test. It is just ugh." Before the math TAKS, Ms. Caramillo would send TAKS-like math homework home with the students- 4 sets of problems from Monday to Thursday. Melissa Woods told me how she loved her own 5th grade experience, doing project-based learning experience about the Oregon Trail. As a current 5th grade teacher, she says that her students do not have the opportunity to have the same kind of experience because they have to focus on the content of the test and "what we need to do to pass these tests." She believes in the value of tests to guide curricular efforts and to design instruction to students abilities, but berates many of the collateral high-stakes effect documented elsewhere (Lipman, 2004; McNeil, 2001; Valenzuela, 2004).

Another parent considered the school to have institutionalized bribery. Behavioralist discipline charts with rewards and consequences are listed in each class.

Triangulating Maria's reminders at the assembly, Lori stated that when the fourth graders were taking the TAKS, they had been told by the administration and teachers that they had to take their time and concentrate. She further relayed that the students had been told that if they did well on the TAKS the whole fourth grade was going to a University basketball game-they already had tickets for them. One of the students did not get to go, she said, because she did not take her time and finished the exam really fast. Isaac stated that Ms. O'Reilly was "mean" because as she worked with him to prepare for the TAKS, she sent him to the office for not explaining my work. "I just did not understand," he claimed. This was quite possible, of course and a classic problem with immersion approaches for non-English dominant students-some of which were discussed in chapter four.

I did observe that kids did receive pencils, pizza, and other things for performing well on the test. After the first TAKS administration, staff received moderate support as well. The upper grade students were kept in the gym until 8:30 so that the teachers could have a reward and break- breakfast in the teacher's lounge. Ms. Wood's class went to a pizza parlor to celebrate the end of three days of testing. Ms. Camarillo's class went on field trips, only after the tests. Field trips were not an important part of the year-long learning experience and curriculum, as Deweyian approaches might suggest. Rather, they tended to be curricular add-ons, and for use as behavioralist rewards and punishment.

**Performing Learning for the Walk**

Teachers and students prepared for the performance. New art was placed in the hallways, the floors were waxed and buffed, and the Marquee welcomed the

Superintendent. A few days before the Superintendent and the district management visited Márquez to participate in a "learning walk," the students received "Márquez Elementary" emblazoned T-shirts. Most students were led to believe the Superintendent had donated the blue T-shirts and were told by teachers and Ms. Gamez to wear them the day of the learning walk visit. Nervous about the visit, one student told me that his teacher would put him in detention if he did not wear the t-shirt.

I spoke with Ms. Camarillo a few days before the learning walk. Sharon typically sat in a seat next to the door to the classroom. Alert to the geographical spacing of students for a learning walk performance, she asks me rhetorically: "the Superintendent is going to come and what am I supposed to do? You know where people sit, so I am going to have to move her, otherwise the people will ask her questions and she will just say, I don't know."

Attending the learning walk were some of the highest placed personnel in the district: the Superintendent, the Head of Elementary schools, the Director of Curriculum, the Bilingual Education Director, the Associate Director of Curriculum, and an outside consultant, Ms. Abaca, who was tied to the Principles of Learning and was now the lead person for the newly discussed *Elevar* bilingual education program. Although technically an outsider, she led the group.

Márquez elementary planning documents, calendars, and guides were distributed to the visitors as Maria filled the visitors in with context and history of the school. The learning walk specific material included the 3rd Nine weeks Instructional Planning

Guides, and guiding questions for the learning walk, which today was to focus on the principle of academic rigor.

In general, the group was impressed with horizontal and vertical alignment in the school and the tightly coupled focus on academic standards. The group would go together into a classroom, spend about 5 minutes in each classroom and then congregate to talk about what they had seen, making reference to the guiding questions and to evidence they encountered in the class. Their emphasis on evidence, be it responses from the students or material on the wall, was consistent with empiricist leanings, thus attempting to move to some degree past facile performativity.

As we walked through the rooms, students thanked the Superintendent for the shirts. As we walked into Ms. Woods' room, the students seemed quite nervous, as six adults wandered around the room, looking at student work, rubrics, and asking them questions. When one administrator asked a student why the task he was involved in was important, he simply responded, "because it is on the test." Two other students were working on a task, and one said to the other, "you have to give me evidence" as he looked up to the visitor for approval. However, in another classroom, students talked earnestly about how if things don't make sense, we ask each other why. They could tell the visitors how to make references to rubrics.

**Instilling Competition**

I asked myself in my journal, what does it mean to value the rising turtles? During the learning walk, the group of administrators, including the Superintendent, walked into a fourth grade classroom where they encountered a board full of small, green paper cut-

outs of turtles. Each turtle had a student name and assessment score. The turtles and they were arranged in a hierarchy- the highest scoring students' turtles were at the top. The director of curriculum commented that it must be a safe classroom, for the students seemed comfortable with each other. The Superintendent, on the other hand, appeared "fired up" about the turtles, commenting a couple of times that he liked the idea. I wish I had that when I was a student, he enthused, because I would have wanted mine to go higher and higher. Both the turtles and the reaction from the Superintendent reflect a belief in the progressive character of modern processes that individualize and rank, thus delineating differences that motivate students. These individualizing and ranking processes are central to the dispersal of power through bureaucratic institutions and the governing of its subjects, like teachers and students (Foucault, 1977).

This form of governmentality was apparent in the awareness students had of where they stood vis-à-vis other students. Students in Ms. C's class had seen their practice TAKS scores listed from best to worst. Ramón told me his scores on the practice test (mid 80's) and that made him confident that he would pass the TAKS. He also could tell me the scores of other students in his class. In Ms. Wood's class only two students out of 11 test-taking students in the class passed all three sections of the Spring of 2004- reading, math, and science. The students were also acutely aware of who those peers might be. The students in both classes I observed displayed a type of performance literacy, and could read from the text of their practice assessments their probability of success.

There were plenty of opportunities to compete. Students in Ms. Camarillo's class would do "math Olympics" or other skill-based activities like counting how many words they could read in 60 seconds and reporting the results to the class. Students regularly check each others' work, especially on skills based activities such as multiplication tables. Results of such exercises are often reported publicly, with students correcting themselves or each other, often out loud. Sharon typically had the highest number of incorrect answers, often because she did not finish the assignment. As a result, students had a good idea of who the stronger and weaker students in the class were and could easily relay that information to me when we sat together in the cafeteria.

Insuring continuing governability of the students and faculty, these types of exercises stress individual competition, yet many times students acted collectively, explaining the answers to their fellow students. Thus, they could continue to be engaged in these efforts over a period of time. Several of the teachers also expressed a kind of competitive pride in the performance of her students. Gloria Camarillo class last year had a 100% passage rate on the TAKS and she internalized the competition- she was determined to try to reach that performance level again this year.

### MAXIMIZING TIME AND DISCIPLINING BODIES

Melissa Woods felt that there were great teachers at the school and believed that they "work really, really hard here." Yet, she felt that the atmosphere could be much more positive. Melissa, along with several parents expressed negative connotations of the school being run as a business-cold, run around numbers. This relates to the creation of a new public sphere, where student test scores are commodified . As, Ms. O'Reilly noted to

me, it is worrisome when a high-performing student, a valuable commodity in the performance economy, transfers out of the school. In this case we discussed, the loss was most severe because the student was in the 5th grade, the grade that was the most behind academically. A few thought the school was so oriented toward market-like efficiencies, that less than appropriate emphasis was placed on socialization, human development, and joy. Monica put it this way: "sometimes you walk in and I don't feel that um, this is an elementary school…I just feel that walking into an elementary school it should feel happy and you know, not so businessy [laughs]."

In this section, I explore attempts to reproduce business viewpoints which sought educational efficiency and productivity. Efficiency is reflected in multiple ways time is maximized and academic roductivity is embodied in ways the governance of students' bodies (disciplinarity). I focus on three marginal[18] social spaces where such efficiency and discipline are reflected: the cafeteria, recess, and in the production of a quiet school. This emphasis on maximizing time and disciplining students in a quiet school led parents and the Parent Training Specialist into diminished and frustrating roles as members of the school community.

**Cafeteria**

In my first visit to the cafeteria in October, I was struck by two activities: some students were spaced apart and quietly reading books, and alternately by choice and coercion of an imposing monitor, others were simply sitting quietly. The teacher who monitored the cafeteria occasionally grabbed the microphone and stated forcefully that students were too loud, demanding one minute of silence. Even I felt the need to obey, to

[18] By marginal I refer to what is typically viewed as non-classroom, non-academic space- the spaces where often learning is seen as either not occurring, occurring marginally, or as psycho-social spaces of play or release. "Quiet school" refers to those multiple spaces between activities or in transit.

quiet my body, and the three adults I was with stayed quiet. A few minutes later, I was going to ask a student a question, but curtailed that impulse, as I felt watched by the judging eye of the monitor. About a fourth of the students who had finished eating had picked up books they had brought with them and were reading quietly. When I walked out from lunch to encounter kids in recess, I found no one there.

On several more occasions while I was speaking to the third and fifth graders at lunch I felt the gaze of the monitor and regulated to the point of feeling that I had to keep quiet or I would "get in trouble" myself and be evicted from the cafeteria. I even told the students that I was not going to speak either, while they laughed about it. Isaac told me that the cafeteria was his least favorite place in the school, a space where once he told me with a wry smile to watch what will happen- the students are going to talk, it will get louder and then they will not be able to talk, which is of course exactly what occurred. The Márquez Elementary cafeteria is a space where my observations as well as comments of participants reveals a seriousness of purpose and the curtailment of socialization as a meritorious activity in and of itself. The cafeteria was not a space to release or fully socialize- it was efficiently used as a time to continue to incorporate discipline management (and the control of bodies) and academic curriculum, as students would also contentedly read books and create math problems amongst themselves. In this way, students pushed themselves beyond their compatriots in other schools and reflected productive self discipline in a potentially chaotic social space.

However, Lori, a parent, comments:

> I disagree with them being so quiet in the lunchroom, because it is time to socialize with your peers, forget about not school, but work. Forget about the pressures and the stress and all that and just have a little good time talking to your friends. They have them all just sitting on one side, you know, boy-girl, boy-girl and they can't talk. Even at home you socialize at dinner. You socialize not to get to, not really to vent, but to let your day out, to go out of your system and to prepare for what is later.

Other graduate students from UT had commented on the rigidity of behavior management in the cafeteria. Here Lori comments on both the ongoing stress of the school environment, which she attributes to the way the leadership has dealt with high-stakes tests and laments the fact that this performance emphasis and stress stretch throughout the students days- they can't "let their day out." Several parents said that they felt uncomfortable in the cafeteria and do not go in there when a particular monitor is there, who they felt would unjustly hand out detention to the students who were talking. They felt this situation had been made worse, because recess and gym had been limited, and even lunch no longer qualified as any kind of undisciplined time.

**Recess**

At Márquez, teachers could decide their recess time, but they also knew that Maria wanted them to maximize their time teaching. On many visits to the school, I would peer out at the playground and hardly see students there. Ms. Camarillo's students told me that they really did not do recess often and not at all before the TAKS, although they did go out and do laps on the track. During the learning walk, Maria commented to the Superintendent that they do not take much time for recess, as they needed to concentrate on academic tasks. The Superintendent nodded in agreement with the policy. So, to be a professional in this atmosphere, teachers went to recess occasionally, but they did not "waste" their time on it.

Lorrie Karl commented that she was raised with the idea that breaks, particularly recess or physical breaks, are important in school- that school can be a stressful environment for students. She lamented the lack of consistent recess at Márquez and asked me about research around the issue. "It many be ok if they do not have recess, but I do not think that not having it necessarily increases student performance. In Kansas there was never a mention of eliminating recess- I hope there is a better way." It was clear that there was less recess at Márquez than at any of the other schools she had worked in outside the state and this was due, in her analysis, to the pressures to perform on the TAKS. She continued to contrast her experiences:

> It is different here-there is not an opportunity to do parties and up until the end of the school year the students need to be learning.[19] Here they also have their field trips scheduled at the end of the school year. Children are children and they need that exposure throughout their school time so that they will figure out where they will like to be.

Parties, field trips, and recess are all activities that become secondary and are clustered much more intensely at the end of the school year, when the "testing season" had ended. Advocates of accountability-based systems could argue that this is a rational and productive allocation of school time oriented toward learning the foundational knowledge as represented on the TEKS and tested on the TAKS.

When I spoke with Maria about recess, she did not believe there was any problem. She felt that she felt a huge sense of responsibility to make sure students maximized their daily opportunities. They are behind and I want to give them the greatest amount of opportunities possible when we only have them for a short time. She continued:

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[19] When I observed Ms. Camarillo's class on the last day of school the students were engaged in reading and math activities designed to continue and expand their knowledge.

> I can't afford, because of this situation, to have these kids take a recess, that you know 20 minutes turns into 30, 40 by the time you get back. Plus, I know that the kids play at home, so they get that.

Her position ties back to school as business and maximizing effort themes; her intention is to develop and support a school culture that counters what elementary students of color have historically encountered- excessive amounts of recess and waste of curricular time (Kozol, 1990). This statement reveals a deep sense of commitment to the children and the schools, but as applied to a larger district context leads to the segregating of recess- students in schools populated by lower income students would be bereft of recess, while the higher income schools would not only be passing TAKS, but they have fun at recess as well.

**The production of a Quiet School**

From my journal I lift this reflection from October:

*Laughing at myself as a white interloper, an inarticulate Joseph Conrad, I believe that the school seems Dark. People keep telling me about it being a great school, and I believe that, but the physical building seems oldish and grey/brown and the natural light does not stream in- there is no flooding of the school. Then, there seems to be a lot of effort on control. Silent students wandering the hall, quiet, be quiet, signal up to be quiet, don't talk in the cafeteria, don't talk in the assembly. Yes, control is necessary to some degree for learning, but what do they have that they have to be quieted so much- will some darkness come out of the bodies? Not many students moving about (compared to my previous job), quiet lines occasionally go to the cafeteria, there is no back up of students going places, being loud, like at Houston or Mendez. The playground is far, far. The cafeteria is separated. The two wings are separated. They all remain quiet. Lightness and laughter is not apparent in the cafeteria or in the halls- perhaps it springs in the classroom-I will need to see and feel.*

In subsequent visits as I got to know people, I did not feel so strongly about repressed quietness, darkness, but this feeling remained for duration of my research experience. On one occasion, I was walking down the hall and a frustrated teacher was talking to a student, expressing the desire for him to embody quietness: "all day long I have been telling you to stop talking. Monday, Tuesday, Wednesday, I had to tell you to stop talking. How many times do I have to tell you to stop talking and get on the ball!" The physical control of bodies is also consistently reflected in the quiet, hands-behind-the-back passage of lines of students walking through the hallways, proctored by teachers who systematically identify who is best in line. One parent was particularly unhappy with procedures for keeping students physically under control. She stated:

> They have the children walking in line like they are in TYC [Texas Youth Commission- incarcerated as juvenile offenders] or something. Their hands are folded behind their backs like they have handcuffs on, walking in a line, you know. Kids, they hate coming to school and it is not supposed to be that way. You have seen that happen, Bill, I know you have.

Sitting in the library after the learning walk, Maria asked me what I thought about the walk and the school. I complemented her on the systematic, thoughtful way she had brought the school along and how students are able to talk to each other about their learning processes. I did mention to her, that as a broad impression, the school seemed very quiet to me- I described my experience in the cafeteria, how quietly the students walked around the school, and how the "no talk zone" sign on the front door how that struck me as different since I had come from a much larger and much louder school. I basically asked if the kids had an opportunity to "let out" and or speak socially. She was taken aback and responded that she experienced Márquez as a loud school and pointed out that students do a lot of talking in the classrooms. While we talked, Lori was shelving

books and said “I am sorry, but I agree with Mr. Black-the kids need to be kids and have recess.” Maria said lets continue this conversation in my office.

Maria was a bit upset over what she (rightfully) interpreted as a critique, and struggled to explain to me that her desire for a quiet school is pragmatic and about building opportunity: “I want them to learn how to be quiet, how to be disciplined, how to get along.” So being quiet is about holistic caring, expanding beyond the official curriculum and giving the students skills and attitudes that will serve them in the labor force, as well as in life. She continued: “If they are being inappropriate then they won’t get ahead and that is what I see within my family. I don’t know, but that seems to be the way to go.” She feels tension over this critique, as it conflicts with some values around notions of childhood, but overarching is a professional ethic that values the idea that learning to be quiet and disciplined will help them to get ahead in life and be more productive in the future- provide them with social and cultural capital (Bourdieu, 1977).

***Locked doors protecting classroom professionalism, limiting parent access***

At Márquez the production of a quiet and disciplined school included locked doors that protected classroom and school spaces from internal and external disturbances. Generally, all classroom doors remained locked throughout the day- Maria and Camila would themselves enter with keys. When I taught the ESL class to parents, I always had to get the custodian to come and open the portable. When Ms. Gamez or another staff member would arrive during the school day, a custodian would be called to open the gate to the parking lot and to then close and lock it after they drove in. Maria had told me that when she first came to the school seven years ago parents would interrupt classroom instruction by selling tamales and bringing sweets- she was originally unpopular for

eliminating that practice, but did what is best for kids by returning focus on the core technology of the school-effective, maximized time on instruction. To keep instructional time sacred, classroom doors were locked- even students who went to the reading teacher had to knock on the door to get back into their classroom. As a methodological aside, this presented some significant difficulties for me gaining original and even ongoing access to classrooms, as I consistently felt like an interloper and uncomfortable interrupting classroom instruction, particularly during the stressful build up to the TAKS examination. The locked doors served to preserve and enhance the notion of the classroom as a professional, serious space, yet it also insulated them from the community around the school and as Lorena Soriano, the Parent Training Specialist noted to me on several occasions, projected a less than friendly orientation towards parents. Lorena would say in a slightly bitter tone that teachers there did not believe that parents had the right to visit the classrooms. This was made evident to her most vividly on African-American parents day.

On February 9th, I arrived at the school around 8:15 and saw one flyer announcing that today was African-American parents day, and then another one in Spanish announcing it was parents day. Ms. Soriano had coffee, juice, and cookies for parents, and invited me into her office to have coffee when I came in. The District had sent a flyer last week about making Monday black parent day, "and you know how we have problems with African-American parents coming in" and she claimed, "the district had not given us enough time."

During the course of the day, I saw no African-American parents. When I went into Ms. Camarillo's classroom, I did see two parents that were in my ESL class- their children later told me that they would get "points" if their parents came. There were no parents in Ms. Woods' fifth grade class. After observing in the classrooms, I went back down the hall and went into Ms. Soriano's parent room. She claimed that she was having a bad day and the 7 or so Latina mothers, talking in Spanish, said to me that they were taking "chismes", or gossiping about the school. Ms. Soriano then told me that a couple of teachers had told the Latina mothers that they should leave the classroom they had come to visit. Ms. Soriano claimed that teachers asked the parents to leave as they were working on important classroom material (the TAKS was within the immediate horizon). According to Ms. Soriano and the parents in the room, the teachers intimated that the parents were an instructional distraction. Upset, Ms. Soriano stated that she always told parents that it is their school and that they can go in whenever they wanted to. Here the conflict over goals seem to emerge: was it primarily a community-based or community-open institution or an institution focused on its primary function as a closed system: zealously maximizing and protecting instructional time of the students? Ms. Soriano was clear in her reaction: "I don't know about these teachers. I have a 7 year old daughter who goes to school [in another town] and they let me in to the classroom, pase. That's why I had to go to Ms. Gamez and she had to get on the intercom and tell some teachers to let them in." She noted that on that day teachers did invite parents to their classrooms and had incentives for parent attendance, but others did not.

Spoken in front of the parents in the room, the story of the school as unwelcoming to parents gained further credence. Throughout the semester, Ms. Soriano held a very conflicted stance vis-à-vis her role as the Parent Training Specialist at Márquez. As she told me later, "I tell the parents that they are always invited and it is not right that they are not let in. I know the teachers are stressed and they want order, but the parents should be able to go in at any time." To me this incident marked the beginning of the creation of her office space as one where she and certain parents participated in various critiques of the school. A month later, during cafeteria duty, she told me flatly, "the teachers here do not want parents involved" and they do not want to work with students. A month after that, she was dismissed from her duty.

The story told to the parents was one of failure and conflict between parents and their ally the Parent Training Specialist and the professional class of educators. From a teacher's perspective, within a performance-oriented school culture, their time is at a premium and it is a rational decision to minimize distractions to the high-stakes task at hand. Parent participation is something upon which they will not be assessed. Even if parent involvement is encoded in policy texts originating from a school district department, it does not emanate from where power is dispersed, and so parent involvement, while desired, is marginalized or controlled.

**Parent Communication and Conflict**

I have already woven in several instances where parents disagreed with the leadership. However, it should be noted that Maria communicated with parents regularly and through monthly coffees. These meetings were usually run in Spanish and served to

expand the nature of the relationships of service providers and school personnel with community members. Usually attended by a core of 15 to 20 primarily Spanish-speaking, Mexican immigrant women, they gave the principals opportunities to connect with parents about school issues, such as the state of bilingual special education services. On one occasion, second grade bilingual students presented on how they used rubrics, interrogated each other, and the type of vocabulary they used in a specific assignment. Maria and Camila also made them an opportunity to introduce the parents to various social service agencies. Additionally, parents had the opportunity to network with each other and felt comfortable asking social service providers about the availability of their services in Spanish. Parents regularly came to the school to help; they cut and organized material in the teacher workroom. This involvement was helpful, but seemed manual and reproductive. Students see their parents engaged as service sector type of workers while at the same time, they were locked out of classrooms.

By the end of the school year, some parent-administrator tensions surfaced, particularly in the principal selection process. Maria encountered material stolen and missing from the portable where I taught. When the school district was embarking on a principal selection process, everal parents went to the district personnel and objected to the placement of Camila as principal. They noted that they did not want any principal that would be similar to the one they had- they wanted one that would communicate with them. During that same time period, at least one parent (who I believe was one of my participants) also contacted the "ear to the community" columnist of *El Mundo*, the bilingual community newspaper, who reported he was hearing of irregularities and

possible abuse at Márquez. And, on the last day of school, I learned that Lorena Soriano, the Parent Training Specialist, who had nurtured a space for parent complaints, had been fired.

#### TIGHTLY COUPLED SYSTEMS

Weick (1976) describes tightly-coupled systems as those that strive for systematic coherence of behavior through clearly articulated and measureable goals. These organizational systems favor stability and consistency over contingency and openness, and as such are often associated with traditional bureaucratic and administrative approaches that seek to centralize power and control, rather than horizontally disperse responsibility and power, as are displayed in more postmodern, network-like organizational arrangements (Hoy & Miskel, 1997; Morgan, 1998). As opposed to loosely coupled systems, Márquez Elementary is characterized by its systematic attempt to use assessment, state curriculum, and constant monitoring to manage student performance and staff behavior.

During the Superintendent's learning walk, the district officials noted that the school was ahead of others in terms of curricular coherence and connections and that this had enabled the bump in test scores. The district has been too often characterized historically by unproductive curricular and pedagogical fragmentation, they claimed. The consultant who lead the walk stated that this alignment pushed the school into doing what most schools do not do: teaching.

### Tightly coupling state curriculum to local practice

#### *Bulletin Boards*

Throughout the year, I encountered next to each one was a reference to the particular Texas Essential Knowledge and Skill (TEKS) strand the work demonstrated.

The work reflected a wide variety of subject matter and culturally-oriented curricular displays (such as bilingual 16 de septiembre poems written by students). Throughout the year I encountered work on the bulletin boards that was not rote, but rather varied. The work in Spanish was correctly spelled, accented, and reflected grade-level appropriate native language use. Changing periodically, the bulletin board-posted student work never appeared without reference to a TEKS curricular strand. In tightly-coupled systems, organizational effort is consistently and similarly directed at often well articulated goals, such as demonstrated evidence of mastery of the TEKS. These bulletin boards played disciplining roles- they served to normalize consistent student and teacher effort toward TEKS mastery and defined efforts away from those standards as inappropriate, wasted, and of less value; pedagogical roles- they taught students, teachers, parents, and visitors what is expected in terms of work and what type of work is valued; and cultural norm setting roles-they are publicly displayed as what is to drive behavior within the classroom. The mandate to produce these boards was not met without resistance. Lorrie found that:

> One of the issues that apparently was a big deal when I first came to the school is that the bulletin boards had to be done one way. I saw a memo that said that- I think it came from the district. Some teachers, including the 1st grade bilingual teacher, complained bitterly. They hated having to do everything the same way.

Yet because of the policy milieu, Lorrie sees this "one-way approach" not as a choice or possibility, but an inevitability. She added: "I just don't think they realize that the pasture really is not greener elsewhere. They can't really run away." She adds that this emphasis becomes internalized: "Well, there is this feeling that things should be

'regimented'. In the back of everything you do there is a 'you have to be' feeling." This is a hallmark of a disciplining system- internalizing beliefs and behaviors so that direct governing mandates do not have to be made, a system of governability attaches itself to the minds and bodies of people in an organization- what Morgan (1998) refers to as the metaphor of organization as a psychic prison.

***Special areas: Connecting curriculum across campus***

Special areas instruction-art, music, and physical education-not only followed subject-specific curricular guidelines, but the teachers made extraordinary efforts to connect those subjects to critical thinking skills and academic content in the TEKS. On several occasions, Maria demonstrated to visitors how students would lock their fingers while making a point in art or P.E., indicating that they were making connecting things in special area with math, science, or language arts. During the learning walk with senior district officials, as students demonstrated connecting geometry to art, Maria argued for increased funding for Márquez special area teachers, who could function as a model for connecting academic subject matter TEKS across the special areas curriculum. The Superintendent was impressed by the use of criteria charts in Physical Education-in the gym a chart hung that gave students clear criteria on how to shoot a basketball.

**Systematic use of assessment information**

***District-led policies***

The District had worked for several years to introduce systems for ongoing monitoring and evaluation of students, with the purpose of identifying schools, classrooms, and individuals who might be at risk of performing poorly on upcoming

high-stakes examinations. The district contracted a private company which developed software to allow teachers to input assessment information, which then could be used by management to monitor and thus suggest instructional shifts in particular classrooms and for particular students. Such efforts were particularly focused in the Blueprint schools in the district, which were labeled "tier one" or "focus" schools and monitored most closely by district staff. Based on ongoing benchmark assessment, practice TAKS, or the previous years' TAKS results, the District labeled other schools as tier one, or if slightly less urgent, tier two schools. Mirroring the penopticon described by Foucault (1977) in prisons, the District then monitored their progress through weekly assessments and learning walks.

During the course of this research project, as part of efforts to triangulate my data, I visited two schools that were respectively labeled tier one and tier two schools. One teacher relayed to me that he had to use a math problem generated by the district every day, as well as do an assessment on a TEKS objective every week- he said the time he spent on paper and pencil assessments increased tremendously and other things he wanted to do were crowded out. At the other school, labeled tier one, the curriculum specialists would attend focus meetings on Tuesdays and return with lesson plans to be implemented beginning on Wednesday. The lessons would be monitored through weekly "learning walks" done by central office staff. A fourth grade teacher at the school said that even her schedule was dictated to her, including the time of day to form her reading groups. In this environment, an experienced, lauded teacher exclaimed: "what the district wants is warm bodies, not teachers." Students were being turned off to reading, the

librarian reported, as they do not have the time to pick up books of interest, but only those linked to the week's IPGs. Several staff members thought that now they practiced skills in some breadth and no depth and there was absolutely no time to integrate material once they were named a tier one school. They felt oppressed by the extreme rigidity and loss of control, which made their jobs even more stressful. Once they had passed the TAKS, one teacher noted that the district's intervention was "insulting to teachers- I look forward to regaining my professionalism next year." In this focus school, upper grade bilingual teachers reported that they were told to maximize the amount of students taking the TAKS in English.

***Assessing, monitoring, and managing at Márquez***

Teachers, administrators, and staff at Márquez, like their counterparts around the District, did not want to fall into the status of a tier one school. For them, this not only meant a loss of control, but that they were failing their students. Due to its TAKS, practice TAKS, and benchmark scores, Márquez was not liable to such district intervention. Yet, a primary means of keeping the District at bay was to systematically monitor and assess their students and intervene whenever possible.

Various combinations of District-led and campus-based evaluation and assessment policies and practices coalesced in the articulation of a high-stakes TAKS passage strategy. Every nine weeks, students were given district-generated benchmark exams in subjects such as reading, math, science, and social studies. Márquez students came to be evaluated weekly on curricular strands appearing on the reading, math, science ($5^{th}$ grade) and writing ($4^{th}$ grade) TAKS. In order to prepare for the end of the

week, “TAKS-like” District-generated reading, math, or science assessment, Melissa would also do practice runs of the assessments at some point from Monday through Wednesday. Several weeks prior to the TAKS, students practiced almost daily on released TAKS exams. Then every Thursday or Friday the students would take practice tests. They were not lengthy; the science version usually contained about 8 questions and Melissa reported results to administration and central office through classroom-based software loaded on a classroom computer. Maria and Camila, the school based administrators, closely monitored standard-specific progress of each student, as well as the progress of the class as a whole. They would use this information to conference with Melissa and other teachers.

Maria proudly pointed out to the Superintendent that Márquez Elementary teachers and students took ongoing assessments seriously. A new characteristic of teacher and management effectiveness in a tightly-coupled, performative school environment is the ability to motivate students to maximize effort on a ceaseless, ongoing series of assessments. This increases the predictive validity of the assessments, which is information which critical to managing instructional arrangements and “just in time” pedagogical interventions. One example of this came from Ramón, who as a recent immigrant was eligible for a TAKS exemption. Systematic monitoring showed growth throughout the year and he passed his last practice TAKS in Spanish. Given that information, he was not exempted and ended up passing the test with room to spare. In general, the teachers and parents I interacted with at Márquez believe that tests and assessments are legitimate tools for school governance and pedagogical practice. One

teacher thought the district-generated reading assessments were very well constructed and useful to her.

Yet, there are reservations about TAKS, and the systematic use of assessments. Melissa Woods struggled to find time to do fun experiments in Science- "to make the best out of my situation," but she felt that her hand was a bit forced and at the end of the year, she said that "we took a lot of practice tests." This was particular to science since she thought that when it came to science, the TAKS questions were "really hard and if we did experiment after experiment and then went and took the test, I think they would bomb. So, they did experiments but those were tempered by having to read a lot of "boring" science passages and answer questions. One disgruntled parent thought the systematic use of assessment at Márquez amounted to monotonous brainwashing:

> Well, I say it is not right to drill kids. They are never going to learn, they are not even going to learn what you drill them on, because they are like brainwashed, you know into drill, drill, drill, drill.

Melissa Woods felt that ELL students such as Isaac should not be taking the TAKS without a differentiated standard. She continued: "I believe [Isaac] is falling behind because of this test. This policy of 'no child left behind', I feel that these tests are going to leave him behind." She felt that by 5$^{th}$ grade Isaac was not getting positive reinforcement at school- quite the opposite, actually- she felt that the systematic monitoring and use of assessment and his struggle in an all-English environment that does not have the will or ability to "slow down" and adapt for him was overwhelming him with negative messages. Although there was a strong Art teacher at the school, the assessment emphasis of school did not provide space to develop his artistic skills, upon which academic skills and positive self-concepts could be scaffolded in a less intensely

test focused environment. Ms. Woods said he would need support with English vowel sounds at a first grade level- as a way of example, it was only until late in the year that Isaac began to write "I" instead of the Spanish phonetic spelling, "ay". Even on the last day of fifth grade as I worked with him, Isaac had difficulty distinguishing between "whether" and "weather", and "dinner" versus "diner." The application of the tests to him was inappropriate for him.

In this way, the curriculum has become assimilationist rather than accomodationist for Isaac. Torf characterizes the accountability mandates of the NCLB act (and the Texas accountability system) as reflecting the triumph of curriculum-centered approaches over learner-centered approaches (2004, p. 27). The curriculum centered approaches are axiologically aligned with assimilationist ideologies versus more accomodationist stances I discussed in the previous chapter. Both Ms. Woods and Ms. Lopez feared that the school environment and emphasis on curricular standards would not allow teachers to do what is right by him, which they believed would include additional support at significantly lower instructional levels, opportunities for success in areas of strength such as art, and recognition of his bilingual abilities.

***Sharon does not count***

McNeil (2000), Haney (2000), and Valenzuela (2000) have reported silences and contradictions in ways students are sometimes hidden or left behind under Texas Accountability System measures. Moreover, Valenzuela and Maxcy (Forthcoming) have written about how some students "count" more than others. Sharon was the only monolingual and African-American student in Gloria Camarillo's third grade bilingual class. Sharon, like all students, occupies multiple subjectivities (Silverman, 2001). In the

practice of accountability policies at Márquez, Sharon came to occupy the subject position of a student "who does not count."

Sharon was absent from school more frequently than the other students and Ms. Camarillo would not accept sloppy work from her. She made her redo it. This led to several confrontations with Sharon's mother to the point that Ms. Camarillo usually did not answer the phone during the day. Gloria was very stressed about her, particularly since she had already been retained in 1st grade at another school. Sharon needed to pass the TAKS or she might be retained again and her assessments indicated she was far behind (she had scored a 44 on the January practice TAKS). Gloria was worried about that, but given the structure of the accountability policy, if Sharon failed the TAKS, her score would count against her previous out of district school, where she had been enrolled in the fall. As a result, Gloria told methat "Maria told me not to worry because her score will not count for us." Given the stresses to produce TAKS passage rates for the "children who count" a rational discourse now constructs Sharon as a student who *does not count*, ironically, the lowest performing student in the class over whom much stress, pedagogical focus, and anxiety would be misplaced. However, because she did need assistance, Gloria guided me to work with her. While I worked with her, she could concentrate her efforts on the students who did count. Additionally, she did not have to tightly guide me in the delivery of my assistance, and worry about the deviations from her approaches. Ironically, it is because she did not count that she became the student to which I had the most access in the classroom and the "safest" student for me to work with.

**Monitoring Tightly Coupled Systems: Learning Walk**

During the learning walk, when I was introduced as working with Angela Valenzuela, there were a few raised eyebrows and Maria, the Principal reported that she did not agree with everything she wrote about. The Superintendent expressed interest in what I was studying, but when I uttered "discourse", he repeated it. His tone implied that my approach was ontologically suspect, as he immediately made reference to two new large-scale, empirical studies. The visit, as well as my examination of district documents, led me to believe that the upper-level management publicly displays unrelenting faith in modernist principals of reality, empiricism (in the use of data and evidence), and progress. They mentioned that it was important to replicate the success of Márquez across the district. One then commented that it was my job with this study to figure out how to replicate the success of the campus across the district. Generalizability epistemologically subsumes valuing difference to the search for more regularized patterns that can reliably be found in various contexts (Crotty, 1999). Once generalized themes and patterns are developed, then they can be operationalized as systems management tools, as did the effective schools movement the preceded much of the accountability reform impulse (Sloan, 2004). Thus, generalizability and tightly-coupled, effective systemwide management are assumptions embedded in panoptic learning walks. Maxcy (2004) claims that learning walks serve the purpose of monitoring the tight coupling of educational systems in Central Texas ISD. He calls it an effort to ensure there is more unam in the pluribus.

***Ending the learning walk: Scientifically moving forward***

At the end of the walk, Ms. Abaca asked the group whether getting high scores on the TAKS meant that there was academic rigor? Ms. Abaca talked about extending the school to move beyond the use of graphic organizers and other basic strategies toward the use of more rigorous expectations. She noted that the students and teachers need to have more discussion about each others work in which they examine their tasks for rigor. Ms. Abaca remarked that the next step was to stop relying so much on graphic organizers and to have students learn and use the discourse of certain fields, like science or literary criticism, etc., and suggested to Maria that she look at incorporating more critical skills into reading. This was possible because Márquez was already doing what most campuses don't do, agreed the assembled chiefs, which was to get everyone to consistently teach the curriculum. So, the goal was to have consistency across a wide and complex educational organization that leads to more rigor, to schools "getting more scientific", Ms. Abaca stated. TAKS is not all encompassing, but the floor of a larger progression. This view and others reflected in the learning walk reveal a lack of emphasis on organizational environments- a critique that Ms. Camarillo would later share with me when she said that "they do not know what I deal with." This view draws from traditional and conservative educational administration theory that resides in bureaucratic, Weberian-inspired theory, as well as concepts from scientific management. Simultaneously, the learning walk, along with policy documents from the district website, do not engage vigorously with institutional or contingency theory approaches (Ogawa,

1995), much less critical, socio-cultural approaches (Capper, 1995; Levinson & Sutton, 2001).

The meeting ended with Maria saying she felt so fortunate to have seen the changes coming from central office, as well as complimented its responsiveness. Waiting until the Superintendent had left, the director of curriculum noted, laughing, that it was important to note that you have been able to accomplish this in a district that tends to like top down approaches. Ironically, it is the ability to loosen the coupling from district mandates that is being praised. The school's success on the TAKS and tightly coupled systems have given Maria and staff the organizational space to strategically mediate policies such as the strict IPG timeline. Yet, the school never strays from Central Texas ISD's performance-oriented philosophy and preference for tightly-coupled management systems.

**We did not know what to teach**

During the learning walk, Maria commented that the IPGs and TEKS were beneficial because before nobody really knew what it was that they needed to teach- there was nothing on which teachers could specifically scaffold their efforts. After the learning walk, she commented that she believed that the TEKS-IPGs-TAKS articulation was quite beneficial, and above all, progressive. I don't know about when you went to school, she reflected, but when I went to school the expectations were so low. That's not the case now. She added that benefits accrue to teachers that should not be discounted: "I don't know when you were teaching, at least when I was teaching, I was never sure that I was teaching the right thing, but now with the TEKS it is much better. There are clear guides,

we can use them, and that is better than it was before." As teaching is better focused, more explicit connections can be made across the curriculum. The clearly articulated focus on curriculum led to better and more consistent delivery across an institution (Márquez in this case, the school district in her new position directing the new, more clearly articulated bilingual program), and therefore better teaching, which was ultimately progressive in that it gave more students better chances in life. More traditional strands of organizational theory apply here: give people specific tasks that are well defined, then monitor, and evaluate. It is a refined version of Taylorism that emphasizes the processes of planning, organizing, and then controlling. "One of the great advantages of [even the softer forms of] Taylorism rests on the power it confers on those in control" (Morgan, 1998, p.30), who were the hierarchically arranged administrators in the District.

**Benefits of an orderly school**

A staff member contrasted Márquez with another school in the vicinity which was unfocused, lacking administrative discipline support of teachers, and populated with the result of those local policies: chaotic, anxious kids. The school is well enough organized to make a good faith effort to implement a multitude of policies. Fullan (1991) has written about the benefits of orderly procedures for teachers and students in various educational settings. One staff member stated that in the lower income community context in which Márquez is located, if a school is not well run, then policies get ignored-

policies are mediated by a process of "not getting around to it." With tightly managed and coupled systems, Márquez Elementary staff find ways to engage with policies.[20]

## LEADERSHIP IN A TIGHTLY COUPLED SYSTEM

### The principal's a "hard ass": Monitoring what is best for kids

> Maria is a hard ass. That is the bottom line is that Maria is like, here are the expectations, here is what you will do. Man, she will ride you if you are not doing that.

These words, from a non-classroom staff member, portray a leadership style of clear expectations, systemic monitoring, and reward/punishment. Another staff member reflected on this approach with different words: "At the school teachers are told to do something and it is expected that it be done. It is a hard nose thing to keep kids on task all the time." The leader sets clear expectations, then systematically monitors to keep kids and teachers on task as much as possible, and unproductive deviations are identified, monitored more intensely and regulated.

This "hard ass" organizational ethos is consistent with and reinforced by the District's approach to state accountability imperatives. The District articulates notions of high expectations (through the Principals of Learning Initiative); clear, top-down delineation of goals and plans to meet those goals (through the Instructional Planning Guides); systematic monitoring (through benchmarks exams and practice TAKS); and in a more severe fashion discipline, correct, and punish those who do not comply (through labeling tier one focus schools). Amanda Brown describes the "hard-ass" monitoring that

[20] Amanda gave the examples of Gifted and Talented and Section 504 programs, which are basically ignored in the other low income school in which she works. And, as opposed to testing, there are no consequences attached to noncompliance with those policies. Márquez is distinguished by its relative ability to comply, resist, or mediate policies that rain down on the classrooms.

centers TAKS performance at Márquez and is aligned with District philosophy embedded in such initiatives such as the Blueprint Plan for Success:

> If you are kind of just there hanging out and not teaching to the TEKS, and if you are not practicing stuff with TAKS and then really focusing on kids passing, then Maria stays on you. She carefully measures things and checks on the teachers constantly. She is always looking at the kids benchmark scores and looking at the kids reading levels and talking to teachers about what is going on in their rooms and what are you doing for these kids who are struggling. She monitors things very, very carefully.

Monitoring very carefully is a trademark of Maria's leadership style. When I first made contact with Maria about the research project, she suggested to me that I could be of use to her as a source of information. She stated that many times she knows that people will not come to her with concerns and that she also may not see certain things happening that should be of concern. She recognized a communications divide between the classroom and the administrators, and suggested that I could bridge that by sharing my concerns and observations with her. The counselors later shared with me that they sometimes played a mediating role between the administration and the teaching staff, sometimes encouraging teachers to go into the offices to share their concerns, other times relaying directly concerns that they had received. This also held true for the counselors with respect to community members, who they said often felt uncomfortable or intimidated speaking to Maria or Camila. Maria wanted me to become variant of that. I instantly felt uncomfortable with the idea, albeit it did have some reciprocity in it- if Maria is inviting me in to do research, it would be helpful to her to have more and timely information about the school- another avenue to constructively monitor the progress of her school. However, I told her that that would compromise my trustworthiness with staff and that I would not be seen in a fair, or "neutral light."

Maria, the principal, told me that she did not relish the "hard-ass" role she had to play sometimes, but that was part of her responsibility. For example, she had a teacher who was sweet and she liked personally very much, but she was "not good for kids." She put her on a growth plan and was pushing her hard- she may not be there next year. She said it reflected her commitment to what is best for kids: maximizing the time for effective instruction at Márquez. This reflects a trend toward systemic monitoring that Skrla et. Al (2000) praise as a positive effect of accountability systems. Maria manages several layers of monitoring and intervention so that students do not slip through the cracks, as they have done historically.

As reflected in official state and district policy, the TEKS and TAKS still remain the first organizational priority around which to organize efforts. Measurement and evaluation are constant and ongoing at the school. The data produced is acted upon and managed in a timely fashion. In doing so, the school leadership polices the norms of state policy priorities that are discussed in the next chapter and tightly coupling curriculum, management, and pedagogy is necessary in a "modern, progressive" school. In this view, getting good results is what is constructed as a "bottom-line" discourse of what is best for kids, a type of moral management discourse (Ball, 1990b).

**Strong leadership in a disciplining organization**

After only one semester at the school, Lorrie Karl, the counselor picks up on and relates distinct and contradictory characterizations of the school's leadership. She states:

> There were concerns brought up at the school-several teachers were vocal-they thought the school was too strict and…that students were forced to fall into certain behavior patterns and there was not a lot of understanding of students. [later in the interview] Some teachers would say they were too professional and wanted them to be more emotional- or just have a different expectation.

The "too professional" critique is similar to critiques of early management theory that led to the human relations approach. In this case, largely in response to internal and external accountability pressures, certain school staff critiqued the standardization and normalization of "certain behavior patterns" that form a regulatory regime designed to increase productivity. This includes traditional disciplining or errant behavior as well as a broader Foucaultian disciplining of students by establishing strong norms and policing them vigorously. However, this "too professional" critique is also contested within the organization. Ms. Karl continued with a more positive interpretation that focuses on the productivity of discipline: "What there is at the school is an extremely strong administration-they catch things early on and do not let discipline problems grow into bigger issues."

Amanda Brown, the other counselor, also respected what she considered to be strong leadership that did not just focus on the tests:

> Here at Márquez there is strong leadership, both from the Principal and the AP. There are very clear expectations about student learning and achievement, but at the same time about the social aspects of school, so safety is a big concern actually. And, helping children develop social skills and their own responsible behavior is also a very big focus with the administration. Strong leadership is important.

Here expectations are better if they are "very clear" and strong discliplining leadership includes managing the social aspects of school. Even though disciplining systems at Márquez scaffold around the TEKS and TAKS, they are more comprehensive. Certain rules are monitored, normalized as part of the school culture, and then self regulated internally by the kids. As a result, "disclipline" comes to be described by

participants as not simply punitive, but rather as productive.[21] And it flows from the administration and circulates throughout the school. For example Amanda Brown stated:

> Children here achieve academically very, very well because there is an emphasis on other things. So it is a safe school, it is a calm school, it is a supportive school. Kids know what the rules are and teachers enforce those rules. Teachers are supportive of the administration in discipline challenges. There is just an overall atmosphere of respect and I think that goes back to the philosophy that the principal and the AP share about what is good for kids.

However, the social aspects of school are discursively coupled with safety, which does not imply the development of a Deweyian curiosity of the world, or a Freirian critique, but rather a disciplining of the unruly class. When I asked Rosa Lopez what contributes to the performance anomaly of the school, where LEP identified students outperformed the English monolingual students, she immediately responded with: "discipline is a big plus. We get that with our director." An underlying notion of reordering cultural or individual pathology of the Márquez students is further implied by the clustering of strong leadership with the development of social skills and "their own responsible behavior." Systems of discipline control then these unruly social bodies. Rules in this case allow for efficiency in producing what is good for kids.

**Leader as parent and the new, old professionalism**

Some authors have characterized accountability systems as top-down and removed from democratic ideals (Glickman, 2004; Lipman, 2004; Valenzuela, 2004). When the Texas and District-mediated accountability policies came to be played out in this low income Elementary school, these characteristics were captured in a particular

[21] This notion of discipline as productive rather than simply repressive draws on Foucault rather than neo-marxist interpretations. It is important to note that it does not exclude the oppressive lived reality of some disciplinary systems.

subtheme: the leader as parent. This conceptualizes leadership as not as dialogue, but as transference of knowledge and limits to staff, parents, and students. Principals, like parents, know more in this conception, and thus have a professional responsibility to discipline, set, and monitor norms. This concept of leadership is not new, and according to one author, common in the progressive era at the beginning of the century, precisely when educational bureaucracies became more comprehensive and centralized in organizing schools and curriculum (Ravitch, 2000). In this more autocratic notion of educator professionalism, the voices of the professional educator class, including those that create education policy, as well as those that manage and distribute the policies, are increasingly priviledged over those of community members, teachers, and students, who are held accountable through a parenting relationship- one that requires the parent/leader to be firm and consistent. Amanda Brown commented:

> I think Maria was a very big change agent for this school. Both Maria and Camila together. And the way I conceptualize it for them from a lot of conversations with them is that they came in and did a lot of parenting. I think that they came in and set rules and held people accountable for things that they needed to do. And so with community, families, students and teachers I think they ran up against a lot of conflict, but they just kept clubbing away but being really firm and really consistent in what their vision was and the expectations they had. And I think that is important, because they took that risk. Being in a position of authority there will be people that will not always like the decision that you make and they are going to try really hard, just like kids do in a family, to manipulate the situation and keep the status quo.

In Amanda's conception, conflict mediation is not about dialogue, but about "clubbing away"- a metaphor associated with autocratic ordering of the masses. Community members and staff are then like unruly children, who can't change the expectations set by the parent/leader, but can try to irresponsibly avoid them in order to

keep from changing. Thus disciplining from a position of power is seen as a rational action. This notion of a parental professional builds on the gendered construction of elementary teachers (Spring, 2001), which is also embedded in accountability systems (Apple, 2001). As well, it springs from bureaucratic and functionalist notions of schooling that have been part of the grammar of schooling for decades (Tyack, 1974).

Amanda talked about teacher and community's infantilized inability to capture a systems perspective that lies at the heart of much conflict with the leadership- that they only look at a piece of a larger puzzle. She recognizes that there has been conflict around Maria's insistence that curriculum and practice change in ways that tightly couple with the TEKS, IPGS, and therefore the TAKS. But, the teachers who complain are not as professional, either through pedagogical incompetence or intellectual narrowness. Amanda states:

> There are people who would say that Maria micromanages, that she is bossy about stuff. My experience with those people are in two overriding themes. One they usually are people who are not doing what they are supposed to be doing in some way and consequently they are being micromanaged and they are very resentful about that. The second thing is those people who are looking at things from a singular perspective. And it is not necessarily that they are in trouble in any way, but they are struggling with the administration, but they are looking at a single slice of a varied picture of Ortega.

Being a former classroom teacher who felt suffocated by the narrowness of my experience and as a former administrator orchestrating various systems simultaneously, I hold some sympathy to this position. The leader as parent metaphor however, infantilizes other community members as immature or unprofessional, who in effect through their actions call to be micromanaged or themselves create the need for corrective actions.

Parent-child approval is what teachers desire, is what Amanda believes. This implies stunted emotional development of teachers. The counselor states:

> This is a weird thing to say, but this is kind of like a family dynamic that happens at this school. That as much as people bitch about Maria, they have that same kind of parent-child relationship with her, in the sense that they want to please. People want Maria to smile at them, they want her to say good job and they want to feel good and there is something about the personality type that are at schools. That is the one thing they continue to worry about..is disapproval, disappointing her. I think it goes back to the fact that it is like kids with their parents, they want to please, they want to do well, they want to be recognized. I think just like a family, when they get disapproved of, they get mad.

No doubt, there exist incompetent teachers, but there may be very appropriate reasons for teacher and community conflict with administration that are not based on self-actualization through approval of the principal. Where is there space for critical, democratic dialogue in this conceptualization that is so fixated on progress?

During the learning walk, the Superintendent asked Maria a confirmation seeking question- "haven't the IPGs been helpful?" Reflecting the notion of management systems leading to progress, Maria said yes, it allows us to move forward. Then he asked me-hadn't the Principals of Learning been helpful at the school where I previously worked? I said yes because we took ownership and were able to bring them in slowly. I did say that I had looked at their implementation at two secondary schools and found a significant amount of resistance as teachers saw them as imposed. He said nothing and then moved on. Ball (1990), Morgan (1998), (Johns, 1996) and other organizational theorists and sociologists speak to the dangers of groupthink and the benefits of conflict and critique in organizations. Based on my conversation with other administrators in the district and my reading of curricular documents, these interactions led me to question where critique and conflict might fit productively in the upper levels of management in the district.

***The parents are seen as little people here: Parent Counternarratives to the leader as parent professionalism***

Lori:

> You see a child had urinated on himself because the fourth grade bilingual teacher does not let her class go to the restroom during morning lectures. So, he pottied on himself and he came over here [to the parent room] and the parents saw how upset he was. The next day the parents requested a meeting with the principal and when the principal came over here, she would not let the parent talk who wanted to talk. She kept interrupting the sentences before the parents finished. She came in here real aggressive and everything and "you can quote me on this: [Lori leans into the microphone and loudly states] "a mi me vale madre que los padres me echan madre." Translation: "I don't give a fuck if the parents cuss me out" and she is supposed to be professional!

Roma:

> We need the right people in here who are going to listen to the parents and actually do something about it. Not just listen and that is all they do. Or maybe not even listen, they just sit there.

Several parents consistently critiqued the aspiration to curriculum-based professionalism and leader as parent perspectives throughout the semester. During a conversation in the parent training room, the parents and Parent Training Specialist were indicating that I should become the next principal, privileging me for listening and I believe for my own ex-administrator, white male positionality. Uncomfortable, I noted that I was in a hard position and was at the school at the invitation of Maria and I did not want to break that trust. Maria had supported me and introduced me on various occasions to visitors as a researcher from the University of Texas who was there to help them. Roma then commented on my invitation from Maria and my positionality as a means to point out what bothered her from a class and race based perspectives:

> Roma: But you see, the thing about that is..the principal is smiley, smiley, ha, ha, hee, hee in front of certain people. Not to be funny, ok? But your Caucasian, right? She likes the fact that ok he is on so much my level, not more on the little people's level
>
> Bill: Well that I come from the University?

> Roma: Right. She is more about politics and numbers and political issues and not more about children and that is a major problem.. And I think that too, with the communication in our school, um, when you have people that are or were poor and they got the big head and they look down upon you.
>
> Lori: The forget where they come from.
>
> Roma: Yea they forget where they come from and that is mostly our problem here. That is a major problem here. The parents are considered little people. And , um mainly because we don't have our doctorate in education, or we don't wear any suits.
>
> Lori: Or because we live here!
>
> Roma: Or we live on the east side. Um, that is where the lines of communication have been broken. Looking down on us.

At another juncture, Lori contrasts the approach of Ms. Soriano, the parent training specialist, with that of the administration:

> [Ms. Soriano] is a good person and we trust her, and she hasn't forgotten where she came from. She does not talk down to us, she talks with us, you know, not at us or above us.

Several parents strongly critiqued the professionalism and leader as parent approach that is embedded not only in accountability policies, but also in "strong" management systems that privilege control in educational management and make parents and the community "little people" that are talked down to. Relayed by a few parents, I can not claim that it represents a general view of parents, but is nevertheless consistent with the leader as parent theme. However, they found the school leaders' communication patterns to be offensive as they permanently ascribed them little people roles that they already encountered through class and race discrimination. And that one that came from similar background to theirs was perpetuating it made it even more offensive. And they critique the upward flow of management attention in a performative culture, where the students look to teachers, who look to the principal, who looks to Central Office, and

even in their mind, searches for approval for University-based personnel. I was the beneficiary of such an approach, as earlier I reflected in my fieldnotes how Maria seem to respect the University environment and how she discussed doctoral programs with me. That helped me gain access to the school.

In a similar vein one parent, Lori provided a counter-narrative to the idea that the TAKS centered approach spoke "down" a truth about intelligence or ability. She was responding to the notion that I had put forth that the accountability system aims to insure that all students are attended to, especially those that had been historically underserved in schools like Márquez. The argument, I said, was that schools now have to teach a minimum curriculum to all, including poor students and students of color. She found that policy rationale to be offensive. Lori answered me with an indignant tone:

> What I would tell those people making the policy is that not everyone on [this side of town] is poor or uneducated. Not everyone here is just plain ol' ignorant. I for one, graduated from a good high school and have been here for most of my life. And there are a lot of people here that even if they didn't go to college or high school, they are not stupid either. You just did different choices and have a different life, you know. But it does not mean we are stupid. I chose to live with this culture, with this, the eastside, I just prefer the eastside.

**Leadership as a balance in a top-down world**

Márquez administrators, teachers, and parents alls systematically characterized accountability policy, particularly high-stakes testing policy as "top-down" and in some way removed from their daily experiences. Yet this policy, like others, are mediated and placed into a particular cultural milieu (Levinson & Sutton, 2001; Wright, 1997). The TAKS and TEKS was a large part of the school life, as this chapter documents in various

ways. However, staff members did articulate ways in which Maria and the school culture dealt with the policy behemoth as a caring and effective school. Amanda states:

> Maria knows what is best for kids. She does not love the TAKS test, but Maria understands the need to have standards. She understands that what we test for on the TAKS is not an unreasonable amount of information for kids to know.

School leaders who have found the assumptions problematic have felt conflicted enough to leave the school-based practice of educational administration (see for example, Nelson, 2002). Here the school's leadership finds resonance with the fundamental assumptions behind the testing and standard reform policies. Other One common, sustainable response to high-stakes testing policy is to articulate an effort to teach to the standards as this will inevitably lead to success on the high-stakes assessment, particularly as the standards and assessments have become more tightly articulated and the assessments have become more trusted by practitioners as valid instruments. Amanda explains:

> As the testing has improved in quality, I think [Maria] has been more willing to support the implementation of the testing and the accountability. But, you know she is realistic. Teachers here do not do worksheet after worksheet. They are teaching to the TEKS, the essential knowledge and skills. Maria keeps emphasizing teach to the TEKS and the kids are going to do fine on the TAKS. And you know the whole thing at some schools, it is not teach to the TEKS and hope the TAKS is ok, it is teach to the TAKS. I have been at a school like that and it is horrible…not only did people stressed, but they were bored…Here you know to teach to the TEKS, you know what you need to do.

The administration has chosen not to simply do worksheets and orient the curriculum as severely toward the TAKS as is evidenced in other schools (McNeil, 2001, Sloan, 2004). Nevertheless, the focus on TEKS is meant to tightly couple the delivery of the curriculum to what is tested. It also provides clarity and an effective scaffold for Márquez's efforts to provide a competent education to each child. In this

conceptualization of curricular organizational behavior, ambiguity is managed through standards, which leads to more productive outcomes.

**Care and knowledge of students' personal experiences**

Various educational theorists and sociologists (Noddings, 1992; Valenzuela, 1999) have demonstrated the important role caring relationships play in meaningfully engaging students in their school environments. Maria Gamez and Camila Largo committed themselves to care for the students at Márquez. Maria would regularly tell students that she cared for them, or loved them, and always seemed to know a personal issue about each student. Maria or Camila were always outside of the school during dismissal, calling students by name, hugging them, and asking them about their day, while also interacting with the family members. As much as the leadership of the school was TEKS-centered, performance oriented, and concerned with tightly managing and monitoring students and teachers, there were many other concerns for Maria and Camila. A counselor relates:

> Maria and Camila are very uncompromising in their ethics and their vision for achievement. I think they still manage to be very respectful of teachers because their heart is there. They love the kids and families of this school. Even though they are firm, even though they are unyielding in many ways in doing what they think is right, they are nurturing, respectful, and both have a huge open door policy.

This was exemplified when one day when a Márquez child had to be removed from her home by the state because of an abusive situation. Maria was quite upset

because the child had only been at the school since January and had been making lots of progress. She told me:

> she had told me that she was scared at night and could not sleep. That is why she was having trouble at school. Her mother would stay up all night and drink and come home with different people. The child felt scared and CPS came in this morning. The mother has a history of violent behavior, so that is why you saw the AISD police here this morning and we had to lock the doors [I could not come in after I went to my car]. I cried all this morning. I thought it would be easier after 7 years, but it is not. I wanted to take them home, I would if I could.

Maria and Camila attempted to know about and manage the multiple social and affective issues that effected each Márquez child. Amanda argued that Márquez is successful in many ways that are not measured by tests and evaluations.

> I do not see our kids as just academically successful, although I could tell you that they read and write better than kids at any other campus I have been at. But I see them as personally successful. They are kindhearted. They get along with each other. They express themselves very well. They feel part of a system. They are able to solve problems that are not necessarily related to academics. Some of that is that Maria puts time into those things.

She notes that achievement is not just the test scores, but a holistic concept. Systems are in place in the school as a result of knowing about the kids lives and caring critically about enhancing their life chances through achievement, which includes passing the TAKS. TAKS serves as a gatekeeper challenge that must be overcome and achievement is not simply individualized, but relational and about meeting Maslowian basic needs. Amanda relates a specific case:

> You know, I have families that have lived without electricity or water for six months. Their kids come to school every single day and they are able to focus while they are here and pass the damn TAKS test. To me, that is beyond an academic issue.

Many of their families struggled because one family member was in jail, and staff were constantly dealing with multiple issues that were imminently urgent and beyond the

narrow performance and tightly coupled management concerns. They also engaged with these concerns by putting systems are in place to ensure a safe, quiet, and orderly school that allowed students to focus on academic and curricular tasks.

Rosa Lopez remarked that the school is successful because: "the principal is familiar with her clients and the background of children. Maria has confidence and faith for the students. She has the same dream for everyone." Rosa Lopez engaged a business discourse of a manager being familiar with clients with a civil rights discourse of having "the same dream for everyone." This reflects how civil rights impulses are now articulated through discourses of business efficacy- similar in construction to the statement, "we want equal access to mandated testing."

The counselors both stated that Maria had encouraged them to work with the social and affective development the kids. It is important in and of itself, as well as in the enhancement of academic performance broadly, and TAKS performance specifically. Amanda said:

> At the same time that [Maria] pushes so hard for achievement, she understands that these kids come to school with huge, huge issues. [She] knows that you have to nurture that part of the kids as well because if you just focus on the academics then you don't take care of the crisis intervention work and the counseling work that needs to be done. The bottom line is that the kids can't focus at school and they don't have the emotional stability and internal energy to be able to do what they need to do to succeed.

This reflects the immense challenges that schools like Márquez have in the competitive meritocracy that is displayed in accountability ratings. These types of issues almost insure that the school personnel assume holistic approaches to student success and construct their environment as one of urgency, if not crisis. I felt the enormity of the challenges I faced as a teacher and administrator in demographically similar schools. However, as opposed to Lopez's (2000) characterization of assets that many Latino kids

bring to school, this perspective is loaded with pathological interpretations of home life and culture (as also reflected in the popular work of Payne, 1996). Regardless, the school struggles, as many schools do, with balancing the need to nurture and care, with the desire to push for academic achievement.

**Communication: Retaining a vision**

When describing Maria as a leader, Amanda would talk about how she balanced democratic or participatory decision-making and leadership with the need to make decisive choices, even at the risk of being considered authoritarian. She contrasted Maria to two previous work experiences: a my way or no way, no dialogue principal and a lackadaisical, floundering principal who seemed to hope that decisions simply came to be made. The resulting wallowing in indecision was worse. Interestingly, to me she contrasted more authoritarian with weak or indecisive leadership, rather than democratic forms of leadership, which is how I had framed my original question (Fullan, 1996; Senge, 1994). This reflects structurally influenced preferences for tighter control and slightly more authoritarian styles of leadership for low-income schools as they operate under conditions of state and district accountability regimes (McNeil, 2000, Sloan, 2004). So, leaders gather input, but do not relinquish control over many now clearly defined essential projects of the school- curricular leadership that emphasizes the standards.

She continued to frame our discussion of leadership at the school with the realism of conflict- that there would always be some conflict. An open door policy is in place within the context of a general urgency to perform on the TAKS and more broadly prepare kids for the life ahead of them:

> They have encouraged people to come and talk to them about things that are bothering them or things they might like to see done differently. In that sense, they have both made the effort to be receptive. There are times when Maria will say, I hear what you are saying and I understand, but here is where I am coming from. I think Maria is really good at that and that is what you have to do to be a leader. You can't get bogged down in individualized differences.

Keeping a broader, long-term vision that focuses on what is defined as achievement is necessary in balancing desires and impulses that school leadership deals with daily with more important themes. And, this vision is not constructed as mere achievement, but also as matters of the heart, critical caring. Yet, power, does not necessarily get distributed in this model, or it does selectively.

Some experienced staff, like Ms. Lopez and Gloria Camarillo felt that they did have the power to do what they deemed to be best for kids within certain guidelines. This is because monitoring and evaluation are used efficiently, where it is needed. Rosa Lopez said that administrators will come in one or two times and then focus their efforts on classrooms that need more attention. Amanda said that she felt that she was encouraged to shape the counseling program. She also noted that Maria protected classroom time, so that for several years she has been able to do a weekly lesson in every classroom. She has also encouraged the counselors to work with kids with incarcerated family members.

### STRESS, ANXIETY, AND CONFLICT

Early in the period of my fieldwork, Doug and I began discussing my research at Márquez while listening to Toni Price sing at her usual Tuesday evening gig at the Continental Club. Doug is a teacher union representative I had known for 8 years, since my days as a teacher. He immediately described a contradiction that somewhat perplexed him about Márquez, a school he had visited over the time of Maria Gamez' tenure. He said that morale at Márquez was bad and stress levels were high, although the

administration seemed professional and personable. As I conducted my fieldwork, his premonitions bubbled up constantly in my fieldnotes and analysis as stress and anxiety.

**Managing student bodies with stress**

Some viewed student stress around performance to be to some degree appropriate and manageable, related more to other issues in their lives, rather than the test. Another perspective (from a non-classroom teacher) viewed stress in the context of the high-stakes policy as appropriate because it helped the school and kids succeed- it was productive. Amanda relates that teacher stress is exhausting and part of the reason she left the classroom. However, she does not believe it is reflective of a dysfunctional environment, but rather also about taking professional responsibility and the broader goal of achieving results in a performance culture:

> So there is a lot of stress and a lot of pressure put on teachers to make sure that they are accountable for what they are supposed to be teaching and to really put thought into how they are teaching. Maria is unyielding about that and that is a good thing. The teacher side of me understands how overwhelming it is and just how much these teachers give of themselves in order to meet these standards. But at the same time, it gets results and it is what is best for kids.

So here student-centered discourses are put forth as more important than the effects on teachers- that their professionalism demands that they find a way to manage the stress.

Yet the majority, like Rosa Lopez, clearly felt that school life now was much more stressful for both teachers and kids than it was in the past because of the high-stakes tests, especially with the establishment of the Student Success Intiative's gatekeeping requirements. She talked about one child who cried every day for two weeks before the test and another who vomited for several days before taking it.

Ms. Woods felt that the school and district mediations of the State's testing regime put huge pressures on the children that were harmful, particularly for the ELL students in her classroom. "These children are so young to have so much pressure on them" she opined, "so I just want to alleviate or lessen their pressure." So she tried hard to caringly negotiate the students performance so that the students would know how far they had come. Isaac said that yes, he had failed the TAKS this year, as opposed to last year when he took it in Spanish. When I asked him about it, he said he felt ok, since he had done his best. This also reflects effort-based learning as part of the curriculum.

Another source of stress amongst students and community members stems from a misinterpretation of the Student Success Initiative. A counselor noted:

> I ask the students worried about passing the TAKS, what if you failed? Then they all say that they are not going to the next grade. Even in fourth or fifth grade, even though it is not true. The students and the community feel that they will be repeating the next grade again. It is very common.

I found parents in my ESL class also believed that students at all grade levels would have to repeat the grade if they fail the TAKS, even though during the time of my research only failing performance on the third grade reading/language arts tests could result in a student having to repeat a grade. Isaac was relieved that he did not have to repeat 5$^{th}$ grade, something he feared until the end of the year.

In order to ensure a productive response to what was clearly a stressful environment for some students, Maria and Camila remained on top of the situation by directing the counselors to do lessons on stress management and to support particularly anxious students. Lorrie and Amanda's spring lesson plans included the explicit instruction of relaxation and stress reduction techniques. Both counselors said that teachers referred individual students who had test anxiety, and they would do it during lunch so that they did not miss instructional time. One of these referrals was a third grade

girl whose medical doctor had told her mother and grandmother that the TAKS was causing her stress. In this case, the counselor and teacher intervened and the student was fine after a while. Lorrie also relayed that often students who act out in reaction to test anxiety have a multitude of issues that they are dealing with. Anxiety over test performance is usually like the top layer of an onion that when peeled reveals many more problems.

Lorrie did say that when students acted out around stress, Maria and Camila know the kids, act quickly, and "take responsibility for discipline. They make the kids do work in their office, they keep them and see what they are doing and they make them work." This relates to the unrelenting quest for performance and "academic" production tied to leadership sense of urgency and responsibility. The tightly focused management of productivity does not "break down at the edges," or loosen, but attempts to continue to produce at the margins. The stress and anxiety is not an excuse, but something that can and must be managed. As a collateral effect of high-stakes policies, administrators, teachers and counselors now have expanded professional responsibilities; putting systems in place to manage and counsel students with test-related anxiety.

Communication patterns in a stressful, performance-oriented culture also impact student's experiences- their feeling of worth and stress. One staff member confided: "in the building there are staff members who handle children roughly-there are people teaching who should not be teaching." Several parents thought that communication patterns at the school were poor and disrespectful. Roma felt that "Teacher to student communication is very poor. The teachers constantly talk down to children and make accusations as to their learning abilities." Lori was upset by a teacher aide who she saw yell at another student, "you had better find someone else to play with!" Jesse, the immigrant parent felt that they talked to the kids face to face in ways she would never

talk to her own children. She felt that if children perform poorly they might be mocked or ridiculed in class. She added:

> The teachers encourage the other children to taunt the children. "Oh, you have to sit away from us because you are on another level," or you know, "this child is so special" or um the kids might say, "oh do you need help, you know, Ms. So and So says you need help." You know, its not right!

They desired a more relaxed student environment where students were not always told that they had to do well; a release from the urgency of performativity.

**Teacher stress**

Amanda admitted that there was a lot of pressure at the school, but thought that teachers did not worry excessively about the outcome on the test- they were simply driven to do the best that they could. Yet, Gloria Camarillo talked about the immense pressure that led her to Maria's office in January expressing her desire to resign. She related that the week before the TAKS she had to take some medication and go to sleep at 8. By late March, after having a second straight year of 100% passage on the TAKS reading test, she immediately began to feel stress about next year's class. She worried that the second grade was at a low reading level, since their teacher had passed away when they were in first grade, and yet the district always expected her to do "maravillas" with the students. Lorrie was struck by the differences from her previous job: "In comparison to what I had seen in Kansas, I do see a lot more pressure. I feel that with teachers and students there is much more at stake than before."

During the time I was conducting research at Márquez, I triangulated my observations and analysis by occasionally returning to the Elementary school where I had worked as an Interim and Assistant Principal. Based on benchmark tests and practice

TAKS results, by February, the District had labeled the school as a tier one "focus" school- one in need of immediate attention and intervention. The act of labeling the school as a "tier one" school, in performance crisis, led to increased stress and plummeting morale. Two experienced teachers began to take stress-reduction medication, as assessments increased. The school had a new principal and many new teachers. Some veteran teachers noted that the previous principal was quite good at mediating policies (as long as they were not deemed a tier one school) and would let teachers know what was important and what was not. As a result of being labeled a focus school, many more district-based personnel turned their attention to the school, conducted learning walks, and now "told teachers what to do," according to several teachers. An experienced teacher who had always had strong performance on standardized tests broke down in her classroom after district personnel conducted learning walks and argued that she did not have enough evidence of learning in her classroom.

One teacher said that when she was teaching many years ago you felt that you could take the time to integrate units and teach something until students knew it, not until the calendar says they have to move on. As such, teachers were respected as professionals, and could concentrate on growth rather than focusing on covering the curriculum. She opined: "I think those days in education are over." In contrast, teachers related their increasing stress to the loss of control of content and time in their classrooms. With the Instructional Planning Guides in a closely monitored school, another Houston Elementary teacher told me that she is now told when to do things and she is always a bit behind and so is constantly stressed. They try to do too much and you

just can't do it because they assume that all schools are the same, she groaned. She argued that the district's responses to accountability demands was to impose a state sanctioned curriculum that was not just overly narrow (McNeil, 2000), but rather overly wide, with no depth. The year had been relegated to a ritual and performative chase of the curriculum guides and assessments. Another reflected, "they have these accountability policies in place and we just take it when it comes down," and the teachers were frustrated that their experiences were not being shared with policymakers.

Amanda and others at Márquez believed that administrators and school personnel simply have to deal with a more stressful, policy shaped 'new' reality: "stress comes through the administrators to the teachers and students. It is not just about this school, it is that they are simply dealing with what they have to do." And, "what they have to do" is a lot more urgent in a high needs community. Amanda went further in explicating the top-down origin of much stress on the schools ways of doing things, which is a result of local actors managing policy contradictions in their locale:

> I think the whole educational system is going to crash and burn. I do not think the stress is unique to here and think it is top down. I think it starts with the government, the legislature, and decisions being made by people who are not practicing in schools and don't understand the ramifications of the choices that they make and how they directly impact the kids. Those people put laws and regulations into effect that then affect the school district and then affect principals and then affect students and teachers and it is a nightmare.

This statement reflects how many staff members felt; assumptions in policies, particularly high-stakes accountability reforms, are not induced from the lived reality of students like Isaac and practice of teachers like Ms. Camarillo. Rather, they tend to impinge and oppress. The image of nightmare harkens to the tensions and contradictions in the policy

web she and other staff members work with, and the ultimate ungovernibility of the policies in local institutions, who must mediate and transform them (Ball, 1994).

Another teacher at a Blueprint school relayed to me that this year was easier than last year because they have a principal who believes in the efficacy of the accountability system. As much as he respected and admired the critical educator who was previously the principal, he said that when the school was struggling with its students' TAKS performance, the leaders critical, conflicted stance about the accountability system led to a drop in morale and motivation amongst staff. Simple and clearly articulated support of the efficacy of the TAKS made his and his colleague's jobs much more bearable.

In my journal, I reflected on whether I could lead in the current district environment and how I want to prepare people to work in high-stakes environments, especially with ELL students. I thought how the notion of "it gets results and it is what is best for kids" becomes an important cornerstone of the belief systems of people who will lead in these environments. Under this model, the standards and tests, even if imperfect, still are thought of as fundamentally progressive, that is, in general producing better students and schools. Do those who fundamentally critique the progressive nature of the accountability system, provide a conflicted template that makes leadership untenable? Will I teach students to search for partial "truths," the salvageable parts of the policies? Will those who are the best that we teach to become disenfranchised and self-select to other options such as academia?

**Anxious responsibility and the urgency to "hacer maravillas"**

When I first spoke with Gloria Camarillo, she spoke of how she worked with a sense of urgency, especially in the couple of months before the TAKS. She spoke of how there was little time to waste and that she was working hard to raise the reading levels

and comprehension levels of her students, particularly some of her newer immigrant students like Ramón, as well as Sharon. As per the Student Success Initiative, which applied to her third grade classroom, she stated with frustration, that the state and district are asking her to consistently "hacer maravillas"- produce miracles with varied students.

Connecting to themes of maximizing time and disciplining bodies, Maria Gamez felt a huge sense of responsibility to make sure that the students got the most out of each day. She felt that she only had this school and this opportunity to do something for the students, while students from middle and upper class households have the opportunity to read and learn things outside of school. Many of her student's relatives were in jail and there were examples of domestic abuse, and she felt an anxious responsibility to give her urgent effort to better the life chances of the students. However, for a few angry parents, this communicated a lack of resources or assets in the home. Nevertheless, this anxiety emphasizes the opportunity to learn (Valencia & Suzuki, 2001) discrepancies that Márquez students have vis-à-vis white, middle class students and the professional commitment to close that gap.

Maria thought if she had a kid who went to the school, she would want the staff to possess a sense of urgency about giving students the best chance to succeed. At the very least this included each student meeting minimum expectations on the TAKS. When I cautioned that at times poor decisions are made under the assumption of urgency, Camila Largo disagreed. She said that you have to always begin with that sense of urgency, and seemed to indicate that it allows administrators to overcome organizational inertia in order to benefit students. I felt that my caution was not well received, and urgency does

provide a mandate for strong, or at least decisive, leadership. This discourse of urgency was imminently pragmatic as well for Maria Gamez. She knew that there are all these things happening in the world, kids need to learn to live in the real world, and we have to prepare them.

In this context, there is recognition of the school's placement in a wider environment, and the discourse of urgency I heard on several occasions is discursively linked to material consequences in the "real world." In response to the anxieties produced by the real world, the systematic transitioning of students to English, acquiring TEKS knowledge and passing the TAKS are acts that can be significantly controlled within a tightly-coupled closed system of schools. And, within that environment, the TAKS itself was referred to as a "real world" consequence or instrument on several occasions. If these local policies and efforts are then linked directly the students' future "real world" opportunities, using consequentialist arguments, then those are things that must be controlled by ethical managers. Thus, being pragmatic and anxiously responsible favors management systems that promote control in educational leaders and administrators. Within educational administration and organization those tend to be bureaucratic and scientific management paradigms that were dominant in educational administration over 50 years ago, although they have never completely left the practice and discourse of administrating schools(Hoy & Miskel, 1997; Ogawa, 1995).

The systematic use of assessments that link to high-stakes accountability measures always creates multiple points for urgency of intervention- there will always be students like Isaac in danger of not making it far enough to pass a section of the TAKS.

This creation of individual cells of information that narrate crisis and thus promote radical conservative institutional responses was born with *A Nation at Risk* and some argue is carried forth in contemporary State and national accountability reforms (Amrein & Berliner, 2002; Berliner & Biddle, 1995) This can be productive as some have written, particularly as it applies to historically underserved populations (Skrla, et. Al., 2000). But crisis-provoked urgency can also lead to profound and ungrounded sense of crisis,, stress, and dysfunctional responses that seek to hide other lived experiences, such as dropouts, and silences broader critical and culturally appropriate responses (Acker-Hocevar, 2004; Haney, 2000; Stritikus & García, 2003; Valenzuela, 2004).

## Roiling of the waters: Tensions at the intersection of bilingual education and accountability policies

### EFFECTIVE PRACTICE

Much literature in the bilingual education field discusses effective practices for English Language Learners (August, 1998; Brisk, 1998; Freeman, 1998; García, 2001; Krashen, 1981). In this section, I discuss several practices that are identified as effective practices that were evidenced at Márquez. I argue that these practices also played a role at the intersection of accountability and bilingual education policies, that is they contributed to the relative ELL student TAKS performance success. Later, I discuss some of the implications that accountability policies, as lived at Márquez, have on local bilingual education policy and practice, which has implications for bilingual education policies in the broader environment.

**Bilingual/biculturalism as an asset**

At Márquez, I encountered ambivalence expressed towards the school and District's bilingual education program, but also strong support for several long standing tenets of bilingual and bicultural education-most commonly the need to develop and support L1, or native language literacy (Brisk, 1998; Cummins, 2000, García, 2001). In various school settings, I found evidence of orientations toward bilingualism and biculturalturalism as assets, which included the promotion of a students' native language and culture in classrooms and multiple public spaces. Students respond to the existence of asset-based orientations to combat generalized English-first or English-only ideology (See Dueñas-Gonzalez, 2001). The students could easily pick up on the general support of Spanish and knowledge of Mexican cultural practices at assemblies, on bulletin boards, and in community meetings with parents where Spanish is often the first and only language spoken. Most staff members stressed how important it was to have two bilingual administrators. It facilitated conversations with families, assured that they appropriately monitored what occurred in the bilingual classrooms, and they supported the public use of Spanish as an important legitimizing cultural symbol for the students and community members.

One day, I visited a first grade class during Art special areas. I spoke to a few of the ELL students in Spanish, asking them what they were doing in class amongst few other things. When I rotated around to another table, Mexican-American girl said to me, "you speak Spanish? I want to speak Spanish." I responded, "Yes. It is important to speak Spanish." At that point, an African-American boy turned to me and enthusiastically and

proudly proclaimed, "Well, I am Black and I speak Spanish." This reflects a much more accomodationist stance in the school and I believe is linked to administrators and staff publicly speaking Spanish in official and public events, as well as reflects the general pride that classes like Ms. Camarillo's take in producing academic content in Spanish.

Several of the parents I spoke with were very supportive of Spanish instruction and supported the development of Spanish skills as an asset that their children could bring to the school. Roma felt that it was so important that her daughter learn Spanish that she enrolled her in Ms. Camarillo's 3rd grade bilingual classroom for the 2004-2005 school year. On two occasions, I taught a Spanish as a Second Language class informally to parents who were hanging around the parent training room. One of those parents, an African-American parent, identified economic and social capital advantages to the dual language education she wanted in the school:

> My thing is that they are going to need to know Spanish in the long run. It is going to help out economically. It is going to help out with day to day life-like how are you going to tell someone how can I help you?…We need to be like other countries. All of those children speak several languages. This is the only country that lags behind if you ask me.

**The use of academic Spanish**

When I accompanied the cabal of District administrators on the learning walk, the District director of bilingual education asked me what I thought made a difference at the school- why the LEP students did so well. I said that one factor was that the school had experienced teachers who used high levels of academic Spanish, which is what I had consistently observed in the fourth and third grade classrooms. Ms. Camarillo is from Puerto Rico and the fourth grade teacher was from Columbia. The other bilingual teachers knew Spanish well enough to teach the curriculum in adequate Spanish. Many

certified bilingual teachers do not feel that their language ability is adequate to the task of teaching in Spanish and this is particularly true for many U.S. born Latino teachers who do not have academic preparation in Spanish (Guerrero, 1999, 2004). This was not the case at Márquez, and the administration considered their Latin American-born, fluent Spanish speaking teaching staff to be a strong asset for the school. In the third and fourth grade classrooms, students who spoke and wrote in Spanish reflected their teacher's mastery of Spanish and the curriculum through their use of CALPS, or academic, high-level Spanish in their academic engagements.

Gloria Camarillo would expect her students who participated in Spanish to use appropriate syntax, vocabulary, and grammar. She had a poster in her room which gave examples of common mistakes her students made and how to say them- "Como se dice" on one half and the erroneous expression listed under "como no se dice" on the other half. "Come no se dice" expressions included errors that happen to students speaking and writing phonetically informal speech or speech produced in an English dominant context: nadien, jue, vide, paque, quepa, poni, rompido. To the side, the como se dice expressions include: nadie, fue, ví, para que, cabe, puse, roto. The District bilingual director pointed to the poster and we had a discussion about how to position what might be considered "pachuco" expressions differently so that they are not constructed pejoratively. The bilingual classrooms were print rich environments with bilingual word walls in Spanish and English, clear expectations, student work displayed accurately in both languages. Ms. Camarillo was especially diligent in making sure that any text that she produced and displayed on the classroom walls was in grammatically correct Spanish and English.

Students in the third grade classroom were eager to transition to English, but would also state proudly that they could read in Spanish and English. In contrast, the use of academic Spanish was absent from the 5th grade classroom, and several students, including Isaac, struggled with academic English.

**Use of multiple criteria for making language and instructional decisions**

What was unique about Márquez was the extent to which they looked at multiple sources of information in making decisions around ELL students, including transition and testing. The teachers and administrators considered such factors as the age and educational level of the parents, the stability of the home, what year students entered the U.S., and whether the parents were literate in Spanish or English. This use of multiple sources of information is characteristic of such effective bilingual programs such as the Oyster school in Washington, D.C. (Freeman, 1998). During the learning walk, Maria talked with the Superintendent about knowing ELL students' family history, and using the LAS, RPTE, and other teacher assessments, and then looking at how they could support the student based on the resources they had. Maria and I had also previously talked about ways to look holistically (in and out of school) for resources that students may or may not have and informing instruction based on multiple qualitative and quantitative criteria (See Valenzuela, 2002).

Gloria Camarillo used multiple criteria and flexible grouping strategies in her classroom. She kept her students writing in Spanish, as it was the last thing that they did in terms of transition. Nevertheless, she found that many students wanted to write in English and she often would guide her "Spanish group students" back to writing pieces in

Spanish. Gloria started the year doing assessments of her kids and had a few students in an English reading group. As the year progressed, she moved some more students to the English writing group, including Jorge, skillfully managing various levels and languages. During the spring semester, she usually had 8 students in the English reading group and 6 in the Spanish group.

**Appropriate use of code switching strategies**

Although there is a contested body of literature on code switching and its role (Brisk, 1998; Ladkoff, 2001), the bilingual teachers I encountered did not code switch in the midst of a sentence or thought. They tended to express an idea or an assignment completely in Spanish before moving over to English, particularly in language arts. In math, Ms. Camarillo would often conduct the lesson in English with use of Spanish for clarification. When she clarified in Spanish, she would not provide a truncated type of translation, but would rather provide an extension or complete restatement of the point or concept being reviewed. When she read stories or assignments, she also tended to stay in one language, although students felt comfortable to respond in either language.

**Unyielding expectations**

At Márquez students cannot choose to not participate. Generally, teachers are unyielding in having students respond and contribute to class discussion. Once when I was observing in Gloria's third grade class, Juan was struggling to find an answer on a math problem. In English, Gloria asked him how he was trying to solve the problem. Visibly upset, Juan stammered and struggled for a bit to explain his thinking process in

English. Another student pointed out, “he’s crying.” Gloria walked over to him and kept working with him, through the tears, to get the right answer and right process, which he did get after about 2 minutes- in Spanish. “Entiendes ahora? Ok vete a lavar la cara,” said Ms. Camarillo. Immediately afterward, Gladys, Juan’s classmate, came over and simply stated: “excelente.” During this time the other students kept working, while alternately talking to each other. Gloria Camarillo did not allow Juan to remove himself from the task by crying and complaining and used “wait time” patiently. She held unyielding expectations and a continued sense of urgency in regard to Juan’s successful completion of the task. The other students provided support and dignity and confidence. In this example, Gloria did not play to an emotionally sympathetic lowering of expectations, a kind of “pobrecito” syndrome. Advocates of school accountability system state that those policies play a role in supporting educational practices that refuse excuses and set high expectations for all students (See Skrla & Scheurich, 2004).

Ms. Camarillo expected students to solve problems and would wait until a student or groups of students to solve problems and to explain how they solved problems- be it how to get to use a tape recorder as a group or to explain an answer to a math problem. She constantly asked students to comment on whether her response or another students’ response was right and why. She consistently resisted the temptation to cut off students, but would allow them wait time to provide answers. She then used multiple strategies and prompts to support students in finding out an answer or decoding the meaning of a word and was unyielding in demanding that her students do the work required to solve or understand a problem. And she would praise them consistently for their efforts, often

calling them “valiente y lindo”- brave and beautiful. Ramón told me that, yes, we do have to answer test questions correctly, but more importantly, we need to keep reading and working. Ms. Camarillo also stated to her class that 100% passage is not everything-she tells the students to keep reading, and at the end of the school year, she handed out some of her own books to the students so they could read them over the summer.

**Students become academically independent**

Throughout the school, students were expected to justify their answers to problems-verbally and in writing. My observations and interviews also revealed an earnest desire to make students academically independent and meaningfully engaged with reading material. They do not want students to be “appealing” to adults for answers, but rather confident in their ability to resolve problems themselves. Staff worked hard to establish an atmosphere where students read for meaning, not simply read to be reading.

**Direct instruction**

Test-centered curriculum orientation favors direct instruction and a retention of teacher-centered control (Hoff, 2004; McNeil, 2001; Sloan, 2004). In terms of low-income students of color, significant use of direct instructional methods can be culturally or situationally appropriate (Delpit, 1995; Ladson-Billings, 1994). More commonly, educational scholars argue for a balanced or more student-centered approach, which uses direct instruction occasionally (Huberman, 1995). Where test-oriented direct instruction occurs, others characterize it as bereft of richness, complexity, and culturally appropriate pedagogical approaches (Glickman, 2004; Kerper-Mora; 2002; McNeil, 2004).

Although controversial, the experienced teachers at Márquez, including Ms. Camarillo, kept control of accurate delivery of the TEKS by using a fair amount of direct instruction that focused not simply on content, but more commonly on process. In doing this, they would deliberately and directly teach students how to break down problems or academic tasks into discreet steps- thus students learned an analytic process that could be transferred to other reading, math, or science problems- particularly paper and pencil ones that are valued on the test.

As implemented, direct instructional methods coalesced with the development consistency of problem solving processes across classroom environments- a type of proactive redundancy that allows for further guarantees that students know certain essential elements of curriculum content and problem-solving methods. The students use story webs, indent the first sentence of the paragraph, use "hooks" to begin their narrative writing, and consistently apply graphic organizers to their tasks. Teachers made consistent efforts to call upon all students, including the ones who did not raise their hands. Students saw and used phrases from "accountable talk" strips and evidence of accountable talk stretched throughout the classrooms. Rubric and criteria charts, important cornerstones of the five-year-old district Principles of Learning Initiative, were evidenced in all classrooms and in the hallways. Student work posted publicly made reference to criteria charts that were used, as well as the state curricular strands- even around the classroom of the brand new, alternatively-certified second grade teacher.

## BILINGUAL EDUCATION IN THE SHADOW OF ACCOUNTABILITY: CRISIS AND AMBIVALENCE

### Institutional constraints in the shadow of the secondary school

Márquez Elementary's bilingual program not only operates under the demands of high-stakes testing reforms, which allow for ELL students to take the TAKS in Spanish through 6th grade, but it also operates under the lengthy shadow of the organizational structure of secondary schools. Beginning in Middle School, Central Texas LEP identified youth are placed in ESL settings, "regular" English only-classrooms, or a combination of those instructional settings. The ESL settings are generally reserved for the most recent immigrants, and test results on the English TAKS for non-exited LEP identified youth is remarkably low, as is evidenced in chapter 6 of this dissertation. Given these institutional constraints, the leadership and many staff members at Márquez supported the idea of transitioning their ELL students through extensive exposure to content and testing in English for at least a year, while they were still in the relatively safe confines of the Elementary school.

In October, Maria Gamez visited Márquez Elementary's feeder middle school and in one of our initial conversations, she said that the teachers and administrators at the middle school told her that they needed for the bilingual students to come to them fully transitioned into English, partially because they do not have the resources to "catch up' the students in English. Just two years earlier Márquez had relinquished their sixth grade and were still working out how to transition all of their students, not only ELL students.

When the original 5th grade bilingually certified teacher unexpectedly quit, it took nearly two months to hire a new teacher, who ended up being one of my participants, the monolingual-English Melissa Woods. This only solidified Maria and Camila earlier decision to transition all 5th grade students to English-only instruction based on the reality of the institutional constraints of the middle school. This parallels the argument made to consultants by several bilingual education advocates and the Texas Education Agency (TEA, 2000): in the absence of a Spanish TAKS, then the RPTE serves to push students and schools to transition students early, so that the ELL students would not only be ready for the delivery of content in English, but would have more valid and reliable English TAKS scores.

At the very least, fifth grade at Márquez becomes the "appropriate" space for English-only practice. Amanda put it this way: "it is really the year that they can become confident and comfortable using English before they are sent to Middle School where there is no bilingual program." By the time she began in December, Woods' taught Márquez' 5th grade "bilingual" students only in English. When I first introduced myself to Ms. Wood's class, I told the class that I could also speak Spanish. A Latina girl then quickly spoke out, explaining a clear rule to me: "We're not supposed to speak Spanish." Looking a bit flustered, Ms. Woods interjected that she did not speak Spanish and that is what I tell them. Sympathetic to her students, Melissa Woods stated that her students should have already had more instruction in English, because now they would be "throwing them into sixth grade after they have been in these bilingual classrooms and then not having any more support in Spanish."

***Crisis: Not all 5th grade ELL students ready for Middle School***

Despite their relative success with bilingual and ELL students as measured on the TAKS, Márquez staff shared the same frustration that most ELL-populated schools face: several students in 5th grade, most particularly Isaac, were not deemed ready for the transition to middle school. Melissa relayed this sentiment by stating that the 5th grade bilingual students in her classroom were not where they needed to be. She believed that the school bilingual program should continue to develop academic Spanish, but that the students needed much more support in English before they even get to her classroom.

A new teacher, Ms. Woods was anxious about her ability to meet the needs of her students and at times frustrated that she could not reach them in Spanish. She felt that her students would learn how to answer questions using strategies that she could teach them. However, the immigrant student's vocabulary and ability to decode English words was a limiting factor for success on the English TAKS, including the Science test, which used high-level, subject-specific vocabulary. For example, she worried about one of her students who did not pass all sections of the TAKS in the spring. She said that the student

> can make straight A's in Spanish, but not straight A's in English and she is striving to make those grades and working so hard and still can't do it. And, of course she is improving. But, I know she is not where she wants to be and I know she feels like she is not smart, but she is! She works really hard. I know she could do it in Spanish and make straight A's, but we are testing her in English.

The faculty fear that this type of exposure to failing experiences has long term consequences for students, particularly as they head into secondary school. Rosa Lopez critiqued how English language acquisition policy within accountability schemes, including high-stakes testing policy, was to blame. These policies operate on a quick

transition schedule, most particularly on an often untenable and unproven three year timeline.

> They are rushed because, you know, there is this guideline that is for three years in Spanish or exemption and then they are supposed to be ready to take [the TAKS] in English whether they are ready to take it or not. But, like Isaac, they are not ready. What happens is that they feel like failures and they to be the dropout. But, the problem is that they missed out on instruction. But, with time, I can teach them.

Chapter six reveals district performance data on non-exited bilingual students in secondary school contexts that partially confirm these fears. They are tense and uncertain about how to create the opportunities to learn for these students that fit the standardized timelines for progress that various educational policies conferred upon them.

***Ambivalence and tense certainty: Transitioning ELL students to English***

When Ms. Gamez and I discussed transitioning ELL students to all-English instruction, she and I talked about our collective tension and ambiguity in this area- she does not know exactly how to transition students, and I relate to her some literature that focuses on native language acquisition (Cummins, 1984; Scovel, 2000; Krashen, 1981) as a bridge to English language proficiency, but acknowledge that I know of nothing that gives specific guidance, a "how to" guide, about what we both agree is a complex individual and context specific issue.

Maria said that this year they decided to go to English-only instruction in fifth grade and in much of 4th grade, actually working with parents to deny bilingual services to all of the LEP and ELL students in Ms Woods' class.[22] Maria herself chose to speak to

[22] Once in bilingual education, LEP students exit the program by passing the English Reading TAKS or scoring in the 40th percentile on the ITBS. From my own experience in the district and discussion with Maria, many students may not reach those standards, yet there may be a reasons to place a student in a

the transitioning 4th and 5th grade students only in English, particularly a group of girls in fifth grade who had not fully made the transition to English, "but we are pushing them," she added. When I ask whether they were receiving all of their instruction in English, Maria said "yes, but they speak Spanish to themselves- a beautiful Spanish to each other out on the playground." Her position reflects the discourse of state and district policy, which nominally celebrates difference, but retains a preference for languages other than English to remain a private, rather than public affair. It also suggests a limited arena for educational leaders to support native language development as a part of the curriculum.

Yet, she and other staff supports and monitor Spanish as a public language in more specific spaces for the upper elementary students and their families- writing in 4th grade, public assemblies, coffees for parents, cafeteria and recess spaces. She reflects: "I know I have to prepare them and I want to help them keep their culture, but I feel guilty and that I am doing them a disservice if I continue to speak to them in Spanish when I know what awaits them [in Secondary School] and parents want them to learn English. I feel really conflicted." In this statement, Maria constructs a duality of language/culture as assets that have inherent worth versus pragmatics that are informed by an English-first ideology (Dueñas, 2001). So as a responsible administrator she makes a choice that conflicts with aspects of her personal history and knowledge of tenets of language

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monolingual English setting with a teacher who is not bilingually certified. This as was the case with the students in Ms. Woods' class like Isaac or, as is often the case, parent denials of bilingual education services are sought for long-term BE students going from an Elementary context to a middle school context. So, administrators, teachers, and parents sometimes feel that to comply with regulations, they in effect bend the rules and "suggest" that parents deny bilingual services. I did that on several occasions as an administrator and I knew several 6th grade counselors who regularly sent parent denial forms of bilingual and ESL services so that long-term bilingual students would not be placed in remedially-oriented ESL classrooms.

acquisition theory: she seemingly feels forced to prepare students for assimilation into the hegemonic English-first environment in order to give them greater economic and social possibilities rather than confining students to the limitations of Spanish-dominant enclaves.[23] Given this frame and the English-only structure of middle school, responsible and caring leadership would dictate that she chose to speak and instruct the upper grade elementary students in English.

Maria and I talked at some length about what certain research might say about transition and the role of Spanish. I discussed notions of language ideology, the role of Stephen Krashen's work, the limitations of heritage language bilingual teachers (Guerrero, 1999) and the strength of some of the teachers at Márquez, as well as delivery of content in Spanish. We conferred that there are many variables that come into play and it is difficult and complex to design any language program. More specifically, she wanted to know what I thought about what research stated about those upper elementary limited-English, limited Spanish students. In my notes that day I reflected on how these students embodied the failure of bilingual education- many transition and do quite well (Thomas & Collier, 1996), but a handful remained stuck and never officially exit the bilingual education program. These students also become the focus of failure discourse amongst practitioners of bilingual education. For example, Ms. Camarillo said that she agreed with the premise behind bilingual education, but the worst aspect of it was when students never receive adequate instruction in their native language and then they fall behind, or

[23] Light and Gold (1998) provide counterevidence to dominant understandings of enclave economies- they are innovative and dynamic economic and social spaces.

are switched to an all-English environment too early. “Once they have some skills in their native language, I can teach them and they will do fine, ” but some reach 5th grade without those skills. Somewhat as a result of defining these non-fluent students as a problem, I never discovered unmitigated support of bilingual education in my school-based research. Trained in one of the first cohorts of bilingual teachers in Texas over thirty years ago and well versed in Krashen’s theories, Rosa Lopez, like Maria, reflects ambivalently about bilingual education:

> After all these years I am still unsure about what is right for bilingual students- what is the perfect world for students. My opinion is that every child needs a sound primary language to predict and read. Often times students transition when they are not too far along in the native language. Resulta que están mudos en los dos idíomas. In the back of my mind, I am not helping a child who is not good in either language.

Another tension concerned the difficulties of transitioning to all English instruction. Amanda was concerned about students who go briskly from a classroom environment dominated by Spanish to one that requires almost all production in English. This is complicated by “the added stress of somehow having to navigate as a bilingual student in a larger English speaking environment.” She also expressed the difficulty of shifting to English when their families are still Spanish-speaking as “it creates a rift for them in their family systems.” Being a linguistic and cultural border crosser is stressful but this identification of a rift does mildly blame parents for creating and condoning what Ms. Lopez described to me as “too many little Méxicos” –enclaves that do not instill

skills and behaviors that will make these students more productive in the broader U.S. context (See Rodriguez, 1973).

However, others believe that much tension and ambivalence resides with competing priorities: to develop the native language and to quickly transition to English to respond to high-stakes testing mandates. Rosa felt strongly that even at Márquez, a strong bilingual school with fluent and competent teachers suffered from pressures to transition as a result of policies that force educators and parents to orient their actions not around individual student needs, but in response to the TAKS:

> I feel like students are rushed to get ready for English and then they are not able to because they have not mastered Spanish. Even for the students who have had Spanish since Kinder-there should be a waiting period for tests until they are ready. Parents are signing out of bilingual education to all English, especially at the middle school and it is like a shoe that doesn't fit-all because of high-stakes tests.

As an option, she would like to design a policy where students like Isaac have more time before they are tested. They would interact more actively with native English speakers and not be expected to take tests according to artificially imposed timetables.

These narratives reflect long-term ambivalence towards bilingualism and biculturalism, particularly when discursively linked with the "mudos" or students like Isaac, who are more intensely defined as policy problems within high-stakes environments, no longer resigned to institutional silence. In the policy web that these ELL student inhabit, bilingual education policy streams also contribute to the construction of students like Isaac as problems. In its compensatory and transitional construction, bilingual education policy still reduces language and culture to at most,

transitional assets, used to build bridges to full participation in the regular curriculum, rather than expansively building the curriculum around those assets, as is done in the Llano Grande project and the Oyster dual language school (Brisk, 1998; Freeman, 1998, 2003; Guajardo, forthcoming).

**Maximizing English and the interference hypothesis, revisited**

As variety of community members expressed concern with the ability to manage the transition ELL students to all-English environments, many felt an concomitant urgency to introduce English as soon as possible so as not to have learning in Spanish 'interfere' with their progress in English. For example, the principal talked about how the school had just received a new immigrant student in fourth grade. They planned extra support for him in English through support from the reading specialist and after school tutoring conducting in English. Maria herself felt a great need to maximize his exposure to English and wanted to build on his motivation to learn English. She decided to "speak to him in English and he is so excited to learn English- I want to speak to him in Spanish, but I think I need to speak to him in English so as to not do him a disservice." A bilingual principal whose school is seen as successful with ELL students, and who communicates regularly with many members of the Márquez community, nevertheless feels a need to repress what might come easier or more naturally as a communication strategy in order to enhance student adjustment and productivity.

Interestingly, Amanda placed the upper grade levels in a category where the language interference hypothesis came to have relevance, as opposed to the younger grade levels. Her statements contain the implied preference for standardization and the

dislike of variability that transitioning bilingual students introduce. Amanda said the students become straddled with a language "problem" not when they enter school, but more precisely when they are transitioning, which also has been during the TAKS years. And problems are embodied within the kids.

> With the youngest grades at this school the bilingual students are really not that much different from everyone else because they are receiving instruction in Spanish, their native language. So the language issue is not really that much of an issue for these kids. So, you know they do not come to school with any greater issues or problems than our African American or Anglo kids.

The preference would then be to transition them before the TAKS grade level or eliminate the variance from the beginning with a structured immersion approach. When I ask Amanda, who I consider to be a very thoughtful, professional, and sensitive educator about what type of approach is needed, she recognizes the existence of research that says that students need to learn in their native language so that they learn content and skills that can later be transferred to the second language. But, she said that she did not agree with that research. This type of research is continually shunned or cast aside with pragmatically oriented discourse that still clings to a three year transition window, if not immersion (Crawford, 2003). She also rhetorically constructs the current program as constant bilingual instructional support, which is not consistent with many environments in the district, much less Márquez. I argue a contrarian position: it is the appropriate use of academic Spanish at Márquez that contributes to the students' relative success before they get to fifth grade. She constructs a very minimal bilingual education program as the ideal as the "common sense" (in a Gramscian hegemonic sense), as the Spanish language the students carry interferes or delays development:

> I can understand that Pre-K and Kinder students need instruction in reading and writing in Spanish, but I don't think they need reading only in Spanish. And I

> think we will have transition a lot more quickly and easily if we had a model that was more in between immersion and constant bilingual instructional support in Spanish in Pre-K through grade 5. I think it delays kids being able to master English.

Melissa Wilson suggests that if the students "had a little more English they would be progressed a little bit more." As my research design does not allow me to make generalizations from these positions, but through these statements, informal interviews and observations I notice the reemergence of the language interference hypothesis and the emergence of common sense discourse around the need for earlier and greater exposure to strands of the curriculum in English-only.

***Fifth grade ELL performance***

At another elementary, fifth grade teachers noted to me that some bilingual students did fine and were able to transition to monolingual English environments and pass the English TAKS, but for others who had been here since the early grades and had not transitioned. As they bombed the test and are likely dropouts, they said that something needed to be done. At Márquez, the four most "bilingual students", including Isaac performed poorly on the TAKS. Isaac was in an all-English environment for the first time, after being in school in Mexico, then Austin for 2 years, then Mexico again, and now back for his second year at Márquez. Speaking with me primarily in Spanish healways replied that he thought the year "went ok." However, they all failed the reading/language arts and science test, and only two passed the math test. On the last day of school, Ms. Woods relayed that she felt really bad about the bilingual kids, but that she did not really know how to reach them.

**Bilingual Education as failure discourses**

As operationalized in the district and the school, Amanda felt that bilingual education was an inappropriate approach, but one that remained because there was a lot of money and political investment in bilingual education. She believed that the TAKS requirements were not unreasonable and that students could be held to higher standards for rapid acquisition of English. She pointed to the fact that in her previous Elementary school experience, recent immigrant Vietnamese students, who received little bilingual education support, reached levels of English mastery and academic achievement that were clearly higher that of the Latino students receiving bilingual education. She believed that this was due not to inherent cultural or personal traits, but rather due to what the educational system does with them and she believed that state and national bilingual education support of bilingual education makes "it harder for our bilingual Spanish-speaking students." Amanda spoke about a handful of students who came to middle school from Africa and Eastern Europe. "Average" students, they quickly achieved a basic command of English and felt comfortable in school in an immersion setting. Immersion works through these anecdotes. She interpreted their experience:

> It really helped them a lot to not have so much support because they had to go through it and they had to do it quickly. They knew that because it was something that they had to do to get ahead. Our bilingual students don't necessarily have to speak English to get ahead. They can get by easily. So I have incredible respect for the cultural issues that are presented to us, yet we are going to ask them English and to read and write in English eventually, why are you waiting so long?

Amanda is assuming that supports such as bilingual education dwarf or impinge upon aspects of students' sense of agency. This approach to language policy shares an assumption with accountability systems that students and teachers have not been pushed

and the "screws need to be tightened" in order to push them. This will result in discomfort, as any change does, but it will not hurt students to either take tests or to be forced to learn in English at an earlier time. This results-based discourse that places rapid English acquisition as a primary emphasis parallels the U.S. Department of Education Title III initiatives currently in operation and serves to open up discursive spaces for more English-centric approaches. She also engages assumptions from the sink or swim approach to ELL students and a related suspicion as to the appropriateness of ethnic enclaves, and as such may imply that language and cultural supports that are given to students through bilingual education and their lives in an ethnic enclave, release them from motivating obligations to "swim" in the broader educational and societal waters. Ms. Lopez echoed the concern with the effects of students living in ethnic enclaves:

> A problem is that here in Austin we have a lot of little Mexicos. We are catering a bit too much. Instead, we are making it easier for them not to learn English. I believe it is important, we need to provide, but not so much. It helped me that I had to translate a lot when I was a child- that is what they have to do.

***Resources and Opportunity to Learn: Staff felt unprepared for bilingual students***

Ms. Lopez felt that as the schools demographics changed over time, there is a need to hire two literacy specialists, one of whom would work exclusively with the bilingual students to simply help them catch up. Both the counselors felt hampered by their ability to communicate in Spanish, particularly as students tie their emotions and affective development to their native language. Their services and abilities are not being maximized because of language barriers, they claimed. Lorrie Karl said straightforwardly: "I need to know Spanish, but there seemed to have been nobody to hire with those skills." When Lorrie introduced herself to parents at the January Principal's coffee, she immediately apologized to the group, but stated to them that "I am interested

in working with the Hispanic culture around this school." Amanda relayed that in order to provide a strong guidance curriculum they would have to be able to provide lessons in Spanish because that is the way the system was set up. The implication is that if they transitioned earlier or had more English instruction, then ever-present staffing and resource impediments would be reduced.

Melissa Woods said that she never received any campus support or professional development specific to supporting the transitioning students in her class. Melissa Woods, hired in December to take over the fifth grade class with ELL students, told me in May that she did not know how the bilingual program worked. She thought that perhaps her kids received one hour per day in English, which was not enough. Based on my observations, this perception is erroneous and reflects a lack of discussion around the school' bilingual education program practice and goals. She did not feel adequate to tutoring students like Isaac after school and those would be the ones that often needed the most help. She described her truncated teaching and feelings of incompetence when working with him and other ELLs in the class:

> When we don't understand something we get on computer and I am having to look it up, you know, do it from English to Spanish and then try my hardest to explain to them, when if I knew Spanish I would just say "da,da,da, da" and then they would understand. I feel that I am limiting their progression, but I am trying to do as much as I can.

The narratives in the last couple of sections relate to old themes for ELL and Latino students that became prominent in the Chicano rights movement and the initiation of bilingual education policy, such as the Bilingual Education Act of 1968- that students need to be given the appropriate opportunity to learn, which may include more time to

show proficiency in a subject matter and sufficient time to develop native language proficiency for "pragmatic" reasons- successful access to the curriculum (Castellanos, 1986; Trujillo, 1998). Partially in response to the ambivalence and failure narratives, and primarily in reading the Distirct ELL student performance on the TAKS as a failure or crisis, has now begun to introduce a performance-oriented, tightly-coupled approach to bilingual student success. It draws upon the "equal access to mandated testing" discourses that currently frames *Lau v. Nichols* type of civil rights arguments for equal access to the curriculum. However, in this case it is designed to provide more equal access to high performance on TAKS tests primarily through the use of academic English, IPGs, and the TEKS. Its new leader in the District is Maria Gamez.

**Setting the stage for Bilingual Education reform: The introduction of *Elevar***

A year before my research began, the District had surveyed principals about what their bilingual programs looked like and then at how that matched up with TAKS results. Generally, the schools with earlier transition or more English use did better on the TAKS (Personal Communication, Sarah Nelson, July 23, 2004). Then in the fall of 2003, Maria Gamez and I discussed a meeting she had just attended in which the District Director of Bilingual Education told principals that the district was going to introduce a new bilingual education program, titled *Elevar* (Elevate). The approach began at Pre-K and advocated teaching ELL students with "academic English" in all subject areas, including using English at least half of the time in language arts. It seeks to expand ELL students exposure to academic, content-referent English. In addition to being supported through

the District's own evaluation of bilingual program effectiveness[24], this shift reflected the rising power of District Curriculum Department and the Testing and Evaluation staff and the diminishing power of the Bilingual Education Department. Maria said it was introduced not as an ESL model, but as a 50/50 language arts model that was "proven to work," and introduced higher-level, academic English in the main content areas. The positioning of the model as proven also was launched in the context of a rising consensus around the truth narrative of text scores- across the District, bilingual students' test scores were consistently lower than the other students, and in many categories below the state averages (CTISD, 2003).

At the time, Maria told me that she was the only administrator in the meeting who stood up and questioned the program, since it seemed to be going against "everything she had learned." And she "was amazed that nobody else even spoke up at the meeting", even though several came up to her after the meeting. I was struck by the fact that no other administrator questioned such an apparently radical alteration of the district bilingual program. Maria told me that what most bothered her was that the director of bilingual education stated falsely that the *Elevar* bilingual education program was very similar to what they had had all long and Maria thought that "this was not the best thing for our kids." Later, she said that her boss called her not to discuss the contents of the program, which would now begin transition in Pre-K, but to ask her if she was emotionally ok. In January there was another meeting to discuss the *Elevar* curriculum and Maria said that

[24] Please see reference to the *Elevar* language program in Chapter 6. as well my discussion of the District's internal review and evaluation of the District Bilingual Education Program. This evaluation relied heavily on TAKS and RPTE results and prescribed system-wide monitoring and reform of campus and classroom behaviors in bilingual and ESL classrooms.

the director of bilingual education apologized to them for misrepresenting the district's approach. Maria said that the program as she understood it would move beyond the previously official bilingual program mandate of 45 minutes a day of ESL. Maria and I both noted that the district had never given teachers good material for ESL, and she seemed more open to the possibilities of a new ELL language education curricular approach. One long-time bilingual education teacher summed up why *Elevar* makes sense to her: something needs to be done because what we were doing does not work: we can't let those kids keep failing.

With the new district language policy, fourth and fifth grade become ESL-only years, with Spanish being used only to clarify. New immigrant students are being congregated in bilingual newcomer classes. Starting in Pre-K, math, science, and social studies will be in English-with "high academic Spanish" being used to clarify and guide. It is a dramatically more consistent approach, several supporters told me. It clarifies the ambivalence, while stifling late-exit opportunities. It also aligns with TAKS performance prerogatives and human resource shortages in bilingual education. Examining the history of bilingual education in the district, the *Elevar* bilingual education represents a major shift in district response to ELL students. It is a much more tightly coupled approach and reflects a central office institutionally coordinated and monitored response to bilingual education as failure discourses. Accountability test-driven, it represents the largest shift in the bilingual education program that has occurred since the district was forced to respond to Office of Civil Rights mandates a couple of decades ago.

## CONCLUSION: STUDENTS NAVIGATING POLICY WEBS

Ramón and Juan were assessed throughout the year and Ms. Camarilo monitored their progress regularly. They took the TAKS in Spanish and both passed the reading and math sections. Both students seemed to be developing academic language in Spanish and English, and learned not only much of the state curriculum, but learned how to take tests efficiently. They generally took their school tasks seriously, although Juan was a bit more relaxed than Ramón, who feared all year that if he failed the test, his second grade sister might catch up with him. Both students learned how to read carefully for understanding and to use multiple strategies to attack isolated problems. Both students were left behind on fieldtrips because they did not maximize their effort on assignments.

Sharon and Isaac struggled much more on the TAKS test. Sharon, the student 'who didn't count" towards the school ratings, nevertheless made progress through the year and passed the reading TAKS by one question. She too, learned to apply enough strategies to pass the test. In the competitive environment of Márquez, she like Isaac, were constantly made aware of their relatively low performance. The penoptical gaze of tightly coupled assessment and monitoring systems kept them from slipping into the shadows. The administrators, their teachers, and even their classmates always knew where they stood relative to other students. Rather, they were constructed as problems and resources were made available to them, particularly the one who counted. However, Isaac did not meet minimum expectations on the TAKS, as he and his teacher struggled with the all-English environment that was designed so as to not "interfere" with his preparation for the secondary school all-English environment. As such, he was constructed as a dropout in the discourse of staff members.

In the chapter, I portrayed Márquez Elementary as a tightly-coupled, highly-monitored performance school culture with strong, disputedly semi-authoritarian

leadership. This culture and organizational structure emphasized test performance and a new type of disciplined professionalism that also created various nodes conflict and tensions amongst staff and some parent groups who felt that in this atmosphere, they were constructed as little people with few assets to offer the school and students were rigidly disciplined. I also I argued that the processes used to realize and construct the "hard" victory, particularly for ELL students, is more limited and contradictory than a reading of the TAKS performance text might lead policymakers and administrators to believe.

In chapter six, I extend the analysis of accountability cultures of performance to the State and District level, as well as to portray how comprehensive, top-down and tightly-coupled management is supported and tensely maintained through the construction and mediation of accountability policy development and implementation at both of those institutional levels. I also demonstrate how bilingual education efforts at the state and District level, like at Márquez are subsumed to the more powerful impulses of accountability monitoring, assessment, and management. This creation and sustenance of state, district, and school-based performance cultures, and the growing ambivalence toward bilingual education policy and practice in those cultures has silenced or limited spaces for asset-based bilingual and bicultural education practice This is reflected in the discursive turn to "equal access to mandated testing", and a shift in practice towards English-first early-transition models for English Language Learner youth.

# CHAPTER SIX

## Constructing Productivity and Disciplining Performance: *State and District accountability policies in the lives of immigrant youth*

### INTRODUCTION

I begin this chapter portraying the Texas Educator's Accountability Task Force meeting that took place on February 3rd, 2004 in a large, cold room at the Texas Education Agency. It occurred a few hundred yards from the Texas State Capitol and several miles down Martin Luther King Boulevard from Márquez Elementary. I use contents of the meeting[25] to organize my analysis of how themes from the previous chapter's analysis of Márquez, circulate and are rearticulated at the level of state policy development. These process-centered themes include the constructing and maintaining of a culture of performance, the privileging of a tightly-coupled management ideology, the institutional disciplining of student academic production, the production of stress and anxiety through meritocratic competition, and the increasingly comprehensive attention to students, including ELLS.

Additionally, I argue in this chapter that the discourse in the meeting revealed a deeply normative construction of policies that are typically presented as rational and neutral. For example, the group's process of setting performance category cut scores did use quantitative performance data, however decisions were mediated through Texas nationalist sentiments, a seemingly unreflective faith in the progressive nature of accountability-led reform, and a desire to protect the legitimacy and power of the state. In performing the latter task, the group clearly recognized imperfections and some contradictions of the system, particularly as they relate to LEP or immigrant youth, and

[25] It is prohibited to tape record the contents of the Educator's Task Force meeting. So, from 9 until 4, I took twenty-five pages of notes that formed the basis of this analysis.

engaged in incrementalist efforts to mediate and manage the collateral effects of several accountability mandates.

I then discuss how the drive toward designing a more comprehensive Texas Accountability system, inclusive of ELLs, diminishes traditional asset-based civil rights discourses around ELL students and bilingual education policies, in favor of a more narrowly focused "equal access to mandated testing" position. This had the effect of constructing performance texts (for example the poor performance of bilingual education students on the RPTE) that favor assimilationist discourses, reflected in narratives of bilingual education as failure and language interference. In this chapter, I evidence these discourses and a material change in bilingual education policies in both state policy documents and the Central Texas Independent School District's drive towards an English-first bilingual education program. I end the chapter with an analysis of how his program, now led by Maria Gamez, the former Márquez Elementary Principal, draws assimilationist notions into bilingual education through tightly coupled management and performance orientations that inhabit the discourses and practices of more powerful high-stakes accountability policies.

## CONSTRUCTING ACCOUNTABILITY: TEXAS EDUCATORS ACCOUNTABILITY TASK FORCE

> While it is the role of the Commissioner of Education to establish criteria and set standards, during the past year, the commissioner relied extensively on the detailed review, study, and advice of educators and many others. The result is a system that will challenge our schools to prepare all students for the 21st century. With 2004, the system begins with an assessment program more rigorous than ever and sets forth an accountability plan to raise the standards each year for years to come.
>
> Texas Education Agency, 2004 Accountability Manual

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Around October, December, and February of every year, The Texas Educators' Accountability Task Force meets to review and comment upon proposed changes to the Texas Accountability System. The changes discussed in the meeting often result from ongoing monitoring and reevaluation of the accountability system done by Texas Education Agency staff, the Agency Commissioner (a position appointed by the Governor), as well are the result of changes mandated by new state or federal mandates and regulations. The Educator's task force recommendations are presented in a non-public report to the Texas Education Commissioner for use with the Commissioner's Accountability Advisory Committee, which consists of several Superintendents, as well as government and business leaders. Based on the Committee's recommendations and the reports generated through this process, the Texas Educational Agency Commissioner then makes his or her final accountability policy determinations, including the how the high-stakes TAKS district and state performance categories are to be delineated. The 2003-2004 Educators Accountability Task force consisted of approximately 25 upper-level educational managers: primarily Superintendents and District Directors of Accountability, but also charter school Principals, Associate or Assistant Superintendents and regional service center personnel. While the task force title used a notion of educator dramatically removed from a school-level community's notions;[26] the very different sort of "educator" work that they did on the task force a few miles down the road from Márquez Elementary intimately connects to lives at the school.

[26] During my time and interviews at Márquez parents and teachers expressed consistent frustration with the articulation of educational accountability policies by people removed from the professional practice and context of schools. I believe most of the Márquez-based educators would not consider these task force members to be educators. When I briefly described this meeting to Ms. Camarillo, the third grade teacher, she retorted that "those people do not know what is going on here. They need to come here and see what is going on".

The TEA director of accountability, Cris Cloudt, organized and ran the meeting and guided the task force carefully through TEA produced documents and TAKS performance data from the previous year. It was strikingly clear that these discussions are enabled by information technology shifts that enable TEA to collect and analyze information on students and educational institutions. Concurrently, this conversation and recommendations are profoundly shaped by the way that information is reported, interpreted and used in multiple local spaces. Ms. Cloudt skillfully constructed the agenda and then monitored and controlled the limits of the discourse by sticking to the agenda. The discussion primarily focused on technical or management issues and tended to steer clear of larger ideological, or content analysis.

This year's meetings were particularly important. The previous academic year had served as the baseline year for the TAKS-based accountability system and the accountability ratings had been suspended for one year.[27] As the 2004 TEA accountability manual recounted: "With such fundamental changes, the accountability system needed to be redesigned. As soon as results from the 2003 TAKS were available and analyzed, development of the new accountability system began in earnest" (TEA,2004). This year's Educators' Task Force was urgently focused on making recommendations to establish district and campus accountability rating criteria for the 2003-2004 school year. In addition, overlying the establishment of state-centered TAKS performance categories was the complicated task of incorporating federal No Child Left Behind mandates, particularly Annual Yearly Progress measurements, into a comprehensive and comprehensible policy. The Educators Task Force also discussed

[27] The official ratings Texas schools and districts garnered during the 2001-2002 academic year, which was the last year of the TAAS-centered Texas Accountability system, carried over into a second year, 2002-2003, when the TAKS-based system was fully introduced. Concern and anxiety over having many schools rated low-performing on the basis of performance on a new and more rigorous exam, had led the state to suspend ratings for the baseline year.

accountability waivers or exceptions, the establishment of additional educational performance categories, the function of the Reading Proficiency Test in English, and the desire and feasibility of melding the newly established financial accountability system with the academic, test-centered accountability system- all aspects of constructing a more comprehensive, tightly articulated performance accountability system.

**How can we say acceptable? Discussing campus ratings and managing the political spectacle of a state-led educational culture of performance**

District rating categories are fixed in Texas statutes as "exemplary", "recognized", "acceptable", or "low performing". These categories are based on TAKS performance across 26 subgroup performance cells, as well as average daily attendance, graduation, and data quality indicators (TEA, 2004). Campus rating categories have historically mirrored District rating categories. However, since campus categories are not fixed by statute, the TEA Director of Accountability, Criss Cloudt, engaged the Texas Educator's Accountability Task Force members in the question of whether the current accountability system could sufficiently distinguished differences in campus performance, as eighty-two percent of school campuses in Texas received an acceptable rating during the last year of the TAAS. Additionally, the group had discussed the possibility of adding a 5$^{th}$ performance category in past series of meetings in response to increases in school campus rating appeals from those schools trying to manage their situation at performance cusps (between acceptable /recognized or recognized/exemplary). Similar to discussions of other topics during the day, the proposals put forth by the members of the group were not radical, but rather incremental and particularly attentive to the power of labels and language in symbolically

constructing notions of public schools in Texas. Their discourse reflected a concern with symbolically managing the text of school performance in an information age- a function that has become a vitally important part of the job of the managers of the political spectacle of public education, Superintendents (Apple, 2001; Edelman, 1986; Lipman, 2004; Smith, 2004). These symbols and labels are also materially important: Board of Trustees must notify property owners of campuses and districts that are deemed academically unacceptable (TEA, 2004).

A new "acceptable plus" category was proposed to allow Superintendents of historically high-performing districts to demonstrate that their campuses are better than the probable "acceptable" category they would earn in 2004. It would also provide tangible and public steps to market the District's growth in the future. These higher performing districts were nervous, as baseline TAKS performance data indicated that very few campuses would be recognized or exemplary (2.5%), and the addition of a new category might alleviate the public relations consequences of having few high performing districts, resulting in a legitimacy crisis for the Texas Accountability System and public schools, particularly suburban schools.

When an additional low performing category was introduced, one superintendent of a minority district stated, " I worry more about the negative than the positive- my major concern is low performing" [and the effects that label has]. Another directly stated that motivation and perception of the public schools and positive engagement with them was important and therefore categorical labels were important: "it is better to have a 'gee you are getting better category' to another low performing category." (See Reyes, et. Al.,

1999 for discussions on how minority school communities have worked to change perceptions).

Can we create a temporarily acceptable category, someone queried. Then, a proposal was floated in which an "acceptable provisional" category would be used for several years and then eliminated once the gap narrows over time. The Director of Accountability, Criss Cloudt, added that this category has advantages in focusing resources to an additional set of schools beyond the low performing ones. A San Antonio area Superintendent stated that he could use this kind of category to target schools in his district, however "can we give it a positive spin- like acceptable with satisfactory improvement." Imagining responding to public interpretations of a district with many schools labeled provisionally acceptable, the Superintendent expressed concern that the San Antonio newspaper reporters would write stories that would place the campuses in these categories as poor and going in the wrong direction. This captures a nervous concern with their ability to shape the text of performance and symbolic labels as they come to uncontrollably traverse the public domain (Anderson, 2001; Smith, 2004).

A high-performing District Director of accountability then introduced a punitive "acceptable with caution" category. More discussion focused on another task force member's proposal for a permanent "needs improvement" category, which would not carry specific sanctions, but would function to put communities on warning. This would include many ELL-concentrated schools where districts and the state would acknowledge to the public that the schools are not where they need to be. This category implies power

behind accountability reforms: that public knowledge of school performance motivates the community to pressure schools and as a result, they improve (See Skrla, et. Al, 2000).

A suburban Superintendent advocated creating an "acceptable upper division" category and an acceptable "lower division category"- something akin to an honors designation. This was met with a retort from a Latino urban Superintendent; "So there will be an acceptable for good schools and an acceptable for not so good schools?" What about an acceptable advanced category-we can call it "acceptable top shelf" quipped one task force member. The tension in the group, alleviated through humor, continued over the use of language that would too easily attach negative messages to Texas schools in the public imaginary.

The Task Force participants came to support adding a 5th campus performance category. After an hour and a half long conversation, the group concurred: they wanted to recommend an "acceptable plus" category. An acceptable plus category gave many schools an attainable goal. Yet one Superintendent cautious about publicly moving performance categories: " I am fine with an acceptable plus category, but this can become a can of worms, because these lines will be moving." It will become difficult to draw the line, he added, as the line between "acceptable plus" and "recognized" narrows over time as schools learn the system. So the delineation, or sorting function of the system will be weakened. Another offered insight into the collateral effects of these proposed changes and construction of rising expectations as they come to be interpreted and lived at the local level: "I think we will inherit, as leaders, that acceptable is unacceptable, at least where I live- there will be more pressure." This is articulated in the lives of people at

Márquez Elementary, who despite their success acutely feel performance stress and anxiety, fed by the ideology of competition and rising expectations.

Ultimately, given the number of reforms and changes being undertaken, The Texas Education Agency did not incorporate an "acceptable plus" category, instead opting to incorporate other reforms. The agency did suggest that expansion of the state accountability ratings might occur in the future. The agency stated that "further differentiation among campuses rated academically acceptable may be desired," and they encouraged school districts to create local policies that more finely differentiated performance.

These discussions exemplified how, in contrast to my ongoing research at Márquez, the discourse of the meeting focused on shaping the concerns of district and state-level management. The Texas Educators Accountability Task Force members' expressed a postmodern preoccupation with shaping public perception through managing performance text and symbols (Edelman, 1988). The reforms also attempted to create a policy environment that encouraged the management educational performance close to the production possibility frontier, while avoiding an excessive number of failures, which might lead to a large-scale crisis of legitimacy. In order to preserve the state's accountability legitimacy and to retain an extended frontier, new avenues of flexibility were introduced into the conversation and subsequently implemented by TEA several months later.

**Avoiding a crisis of legitimacy: The incorporation of avenues of flexibility**

***Exceptions policy***

TEA personnel pointed out during the meeting that the Texas Accountability System constructs 21 performance cells at the Campus levels and 26 at the District level. Waivers would allow a officially designated performance cell of students (that is the language used in the meeting); such as white and economically disadvantaged, or African-American and 3rd grade, to have certain performance standards waived, or lowered, by a minimal, pre-established percentage amount. Under the proposal put forth to the assembled "educators", Districts could apply for waivers for particular subgroups. By raising a particular subgroup performance level, it is possible for an entire campus or even district to rise one accountability rating category.

That afternoon's discussion of waivers revealed that technical (that is non-fundamental or radical) flaws in the system were legitimate areas for incrementalist reform. Group members generally supported the concept of waivers and described them as an allowance for the imperfections in what they otherwise described as an inherently progressive Texas Accountability System. One Superintendent noted that as more and more tests are added, waivers recognize the imperfection of the system, while still maintaining the backbone of the system, performance standards. Waivers are good, she said, because they give a little way out and allow for the natural "randomness of the system. We are not talking about a systematic problem."

The participants mulled over several proposals to set allowances for the waivers or exceptions: 15% below minimum to 5% below minimum. Thus, a campus may fall

short of attaining the exemplary standard of 90% passage because of the performance of one subgroup, or in the language of the meeting, one performance cell. Thus, after applying and receiving the waiver, the lower performing student subgroup may be able to perform at 85%, 80%, or 75% and the campus would still achieve an "exemplary" performance rating. Here again, careful attention to official language entered this conversation, as Criss Cloudt suggested, with the approval of the group, that the report and discussion use the word "exception" rather than 'waivers." A Latina member of the group said that the exceptions policy gives District level managers a new tool to convince community members that progress in student learning was occurring-another means to manage the educational performance spectacle.

Employing a discourse of rigor, several members expressed preference for the 5% waiver option because it least altered the current accountability system while addressing narrowly identified imperfections in testing. In a conversation that struck me as nearly absurd, the group discussed that a 5% waiver should be applied to the performance of at least one whole unit, that is, in certain situations, 5% of a "counted" subgroup could be less than one child. Skillfully recognizing the concerns of various accountability advocacy reform coalition actors (Sabatier & Jenkins-Smith, 1993), Criss Cloudt put forth that in her opinion the waiver could not drop down to 10%, as policy makers and legislators would get nervous.

Other concerns with the fairness of Texas Accountability System entered the waiver discussion. Criss Cloudt floated the compensatory policy concept that if a district had an above average number of economically disadvantaged students, they could receive

an additional waiver. There came a proposal to add a waiver for Districts with 50% economically disadvantaged and another for those with 50% LEP populations. The group did briefly discuss how the imperfections of the system are compounded with second language learners, who are much more difficult to assess. Thus, the system is most imperfect on the border, where waivers would then be most useful. Nevertheless, A superintendent from the Texas-Mexico border discussed the limited usefulness of waivers for districts in his part of Texas, as many of their kids overlapped performance categories (often LEP, Hispanic, and economically disadvantaged) and so the provision of one or two categorical waivers would be insufficient. As a consequence, he proposed that an 'all students" waiver, or exception be made available. Quickly, TEA personnel reminded the attendees that waivers should function to correct an anomaly, thus discursively limiting the space for the use of waivers to substantially reform the system. Another Superintendent then said that this is a reality rather than an anomaly-the border situation is in South San Antonio, Houston, and other inner city areas and waivers for an all students category would be helpful.

Ms. Cloudt then summed up the discussion with an admission of the role of waivers in protecting schools and the accountability system: "I want as many avenues of flexibility as possible so that we don't have thousands of low performing schools in the state." The group agreed that "exceptions" needed to apply to assessment measures only (i.e. not for attendance) and they should not be used on same group of students two years in a row, with a 5% floor. During the conclusion of the discussion, she did recognize that the Commissioner's advisory committee would probably not endorse waivers at this

juncture, but nevertheless consider them in the future. However, in the final determination, a narrow "exceptions" policy was adopted by the Texas Education Agency in the summer of 2004.

Exceptions are now available only for campuses rated academically unacceptable that pass the required improvement standard. Exceptions are justified by the rise of the number of assessment measures from 16 in 2002 to 26 in 2004: "the exceptions provision provides relief to larger campuses and districts with more diverse student populations who are evaluated on more measures" (TEA, 2004). Exceptions can be applied to any of the 25 possible subject groups, which are constituted by 5 subjects (reading, math, writing, social studies, science) across 5 student subgroups (All students, African-American, Hispanic, White, Economically disadvantaged). Campuses are allowed the following number of exceptions based on the number of subject groups they have:

| | |
|---|---|
| 1-5 subject groups | 0 exceptions |
| 6-10 subject groups | 1 exception |
| 11-15 subject groups | 2 exceptions |
| 16 or more subject groups | 3 exceptions |

Also as discussed, a performance floor was implemented- exceptions can only be obtained for student groups within 5 percentage points of the accountability standard for an acceptable rating. Particular subject groups are eligible for exceptions on one occasion and the campus improvement plan must address any exceptions received.

***Required improvement policy***

Additionally, Districts and campuses may now move from an "academically unacceptable" to an "academically acceptable" rating by using the required improvement feature. The feature can be applied to the TAKS, SDAA, completion, or drop out requirements. Campuses and districts can go from academically acceptable to recognized based on TAKS performance only. It can not be applied to move from recognized to exemplary.

Any measure before the standard must achieve enough to gain to meet a standard of growth that demonstrates that the campus is growing at a rate that is faster than what is needed for the campus to reach acceptable status in two years. A campus can be significantly below the absolute standard, but show a trend that predicts 50% or more growth over two years, which also will bring the campus to an acceptable performance level. For recognized level, a campus must be in the 65-69% range and demonstrate enough improvement since 2003 to be at the 70% standard in two years.

***Standard error of measurement policy***

With the application of high-stakes consequences to the TAKS, the state decided to allow for flexibility at the margins, incorporating standard error of measurement exceptions to the student passing standards adopted by the State Board of Education. For 2004, students at the margins can be moved up- students at one standard error measurement below the panel recommendation for grades 3 through 10, and two standard errors in grade 4.

***Gold performance acknowledgment policy***

Gold performance acknowledgements may function in the manner the acceptable plus category might have- it provides a way of distinguishing between many acceptable

districts and categories. It recognizes districts and campuses for high performance on categories other than those used to determine accountability ratings. These categories include such indicators as AP classes and exams taken, exemplary attendance (97% at the elementary school level), reading performance at 20% or more above the scale score of 2400. It provides additional, positive discursive possiblilities, for school personnel and communities to produce in association with their schools and districts. This does provide an additional layer of information to process, as a school could now potentially be academically acceptable, missed AYP, and yet meeting several Gold Performance Standards.

**Policy as a normative process: Constructing performance**

***Defining acceptable performance***

The group was charged with an immediate and important task: making recommendations for the levels of campus student TAKS passage rate that would constitute an "acceptable" campus performance rating. In a highly contentious fashion, the Texas State Board of Education had already debated and instituted acceptable standards for the percent of answers correct in each of the subject areas for the 2004 TAKS. What I witnessed at the Educator Accountability Task force meeting showed that the campus performance rating floors were made in reference to previous TAKS performance, but rather were normatively constructed in a manner that privileged top-down control by management as well as the institutional legitimacy of the accountability system and the Texas Education Agency. What is striking is that each of the models presented by TEA calculated performance rating levels with an assumption of acceptable failure. TEA officials stated that they calculated the models they distributed to the Task

Force members assumed the construction of the minimal expectation passage rate at the 10th percentile. At the 10th percentile, 54% of students passed the current standard for English language arts, 60% for writing, 57% for social studies, then only 30% for math and a lowly 17% for the newly introduced science test.

Three different models of performance floors for "acceptable" campus ratings and numbers were presented and discussed. The options were constructed based on 2003 TAKS performance data and the calculation of the 10th percentile performance as a baseline.

> -Reading/English- 40%, Math-25%, Science-25% In this example, a campus rated acceptable must have 40% of subgroups pass the Reading/English Language Arts TAKS, 25% of all subgroups pass the Math TAKS, and 25% of all subgroups passing the science TAKS. The next two models were run because the group wanted to have the highest acceptable standards possible.
>
> -Reading/English-40%, Math-30%, Science-30%
>
> -Reading/English-50%, Math-30%, Science-25%

Standards, the director of accountability stated, are somewhat difficult to manage. Despite positivist notions attached to them, standards are social constructs that suffer from debate, management, dispute, and a need to perform an institutionally legitimizing role (See Haney, 1994; 2000). In her directions to the group Cris Cloudt quoted TEA Commissioner Nelson: "if we need to start at a 25% standard, that is where we need to start." She also added that they had weathered the storm in 1994, when the TAAS ratings system began and TEA also set the "acceptable" level of campus performance in the 25-30% range. Managing notions of performance rigor, Cloud suggested that they put the

40-30-30 model aside, as there is not a substantial difference from the 50-30-30 model and you "could buy yourself higher standards with the other model."

The group was interested in ramping up the standards incrementally year by year. The main concern was moving the science passage level up too quickly- it was the "killer". By killer, they meant that the science test could produce more failure than any other test, a socially undesireable and expensive possibility. The discussion of the science test is an incrementalist reform and the discussion focused on how much time is needed to accelerate the standards, with the prevailing thought being that the science passage floors needed to rise rather slowly (in 5% intervals). The justification proffered was the newness of the test and the fact that "teachers needed more time so that they adjust to teaching science."

In end, the advisory group recommended following passage floors for acceptable rating categories over time:

Reading/Language Arts: 40% (2004), 45% ( 2005), 50% (2006)

Math: 25% (2004), 30% (2005), 35% (2006)

Science: 25% (2004), 25 % (2005), 30% (2006)

The final regulations set the acceptable performance standards at the percentage levels of students meeting expectations (TEA, 2004) for a period of three years at the following floor levels:

Reading/Language Arts: 50%

Math: 35%

Science 25%

These passage rates were set low enough to produce a significantly high student passage rate, while also allowing for local educational institutions to consolidate pedagogical and curricular adjustments.

Concerns about these policies came from a Superintendent from a minority district in southeast Texas. He noted that as standards got tougher and stronger, he could not hire qualified teachers-"many of you can," he said to the group, "but I don't." Others expressed concern that the moving standards might be difficult to explain: "I am not a PR person, but I have a hard time thinking people in my district will understand this." Also, there is the chance for a backlash, as a district maybe rated as acceptable and then it may fall back in ratings even though it has improved given the rising standards.

***Standards setting Recognized and Exemplary***

After discussing standards for acceptable and the possibility of waivers, the group then turned to discussing TAKS standards for recognized and exemplary categories. The TEA personnel recognized that the TAAS standard for recognized moved from 65% to 80% from 1994 to 2002, as the acceptable rating level floor kept moving up at a rate of 5% per annum. Several exemplary and recognized performance floor proposals were put forward and discussed, with tension existing between proposals to keep the stability of the current system (80% for recognized; 90% for exemplary) and several models that would phase in performance level floors. The incremental approach had worked in the past. But, Criss Cloudt had concerns about the complexity of phasing in an additional acceptable plus category and the ability to delineate that category from recognized over time. However, she added, "but y'all have a better sense from playing the system." This recognizes an aspect of a generalized culture of performance: that the system can be played through such things as pep rallies. They decided to recommend keeping exemplary at 90% and phase in recognized from 70% to 80% over a period of four years, which was what was adopted (TEA, 2004).

**Remember the Alamo? Texas nationalism, accountability, and the invasion of *No Child Left Behind***

At several junctures in the meeting participants expressed pride in Texas' now historical position as a leader in standards based reform. Partially, this results affiliation needs individuals have in many organizational contexts (Johns, 1996), wherein group members express pride and attachment to a high status group or organization and retain motivation for their work. In this case, individuals are affiliated with a high status ad hoc organization that is charged with improving the Texas Accountability system. Throughout the day, there was a group that consistently pushed higher cut scores and advocated for the highest standard on the table, including a representative from Plano, one of the richest and highest performing districts in the state. This group consistently expressed pride and enthusiasm in the Texas accountability system and such statements were received with nods. Texas should build on what they posed as the best accountability system in the country. They wanted to build on the success of Texas Accountability system and expressed desire to have Texas continue to serve as a model for other state's accountability policy efforts. On several occasions, participants stated that provisions of the Texas system were more useful towards pushing schools toward meaningful reform as they communicated clearly and were more academic than the provisions of the newly implemented provisions of the federal *No Child Left Behind Act*.

In their study of Texas Superintendents, Skrla and Scheurich (2000) found that Superintendents supported the accountability system for its ability to change attitudes about student capacity to learn. They also found that the pressure of the system pushed educators to focus their efforts on historically underserved students. The study,as well as

others more critical of the accountability system, manifest the centrality of the Texas Accountability System in the lives of students and school institutional behavior (McNeil, 2001; 2004; Sloan, 2004). In the meeting, the leaders of higher performing districts expressed greater faith in the system and its ability to positively alter behavior. She, like Maria and the Central Texas ISD staff, expressed modernist beliefs in the progress brought by accountability reforms. She claimed:

> In the old system (TAKS) at first nobody understood it. We were not exemplary and we did not care, but now it is a big deal. We learned how to use data, at least in our district. We don't need to go back. We saw our performance as chance at first. We saw it as school demographics. We teach every student now.

This discourse of progress and order reflected a general faith in the Texas Accountability System. This was to be interrupted by the public measures and standards embodied in the *No Child Left Behind Act*, most particularly Annual Yearly Progress reports that would be published in the fall of 2004. Many Superintendents expressed support for incorporating the required federal reporting modifications in the Texas Academic Excellence Indicator System (AEIS) in a manner that recognized and publicized the state system as having developed longitudinally with more rigorous state standards than the newly overlapping performance policy demands of the NCLB Act. Discursively the task force members and the state director of accountability tended to group the NCLB standards into "non-academic" or "participation" categories and Texas standards into "academic" or "performance categories".[28]

[28] Many states recently completed their accountability plans and submitting them for approval to the Department of Education. States now had six years to seamlessly merge state systems with federal guidelines.

***Annual Yearly Progress standards***

In order for Márquez Elementary to meet the Annual Yearly Progress requirements, 1st and 2nd graders, as well as the 3rd through 5th graders now have to meet 90% daily attendance standards. AYP does not measure the dropout rate (like the state system at 7th and 8th grade), but does require a lower 70% graduation rate. It does require, higher levels of student participation in testing (mandating "equal access to mandating testing") as 95% of all students need to be tested, including LEP and immigrant youth. Progress is measured for all students, as well as subgroups in Reading and Math, and special ed and LEP students have to show progress as well on the SDAA, RPTE or TAKS. Failure to make federal adequate yearly progress is defined as a 10% decrease over two years in the percentage of students not passing required test. For 2004, schools and districts needed for 47% of LEP youth demonstrate AYP in reading/language arts and 33% of LEP students perform at above AYP standards in math over the two-year period. Compared to the state's minimal subgroup population, there are higher minimum size requirements for AYP. The state system adds science and writing tests, which are absent in the AYP high-stakes calculus. The four state performance categories now carry an attached "meets AYP" or "missed AYP" label (TEA, 2004).

***Struggling through loosely coupled accountability policies***

Even though largely influenced by the Texas experience with high-stakes accountability reform, the provisions of NCLB imperfectly overlapped federal accountability policies, there was concern expressed over the difficulty of meeting the performance standards for both systems. Having to meet both Texas exemplary and the

highest federal AYP standard seemed virtually impossible, particularly in districts with high LEP populations, given their performance on the RPTE and TAKS. This might lead to lowered perceptions of the good job schools and districts were doing and confusion amongst the public. Lets have an exemplary state versus an exemplary federal category, one participant urged, knowing the value of retaining the exemplary rating. However, if schools and districts consistently earn Texas exemplary ratings, but not the federal one, then the Texas rating system will play as inferior, another cautioned. A group member recognized that when they have to tell the public about accountability ratings, it is hard to communicate the intricacies of the policies and this will be even harder. Missing the federal AYP, one Superintendent stated, will not be as bad because of low allowances for special education and LEP exemptions and issues with growth on the RPTE and the SDAA. Not only did he believe that, but implied that it would be possible to craft failure on federal measures as less meaningful.

The group recognized that it would take years to successfully merge the different systems in a manner comprehensible to practitioners, parents, and the general public. Frustrated, a female Superintendent proclaimed: "the state has a proven track record and No Child Left Behind is political-lets call it what it is-Exemplary, missed AYP. I want our state system to stay pure. [Under the federal guidelines] I may never make exemplary because of participation and I am about what works for kids and the Texas system stays!" In this statement, this Superintendent, like many others present, exposes a possessive investment in the Texas accountability system-one that creates incentives for the ethical imperative of what is best for kids and thus must not be complicated or watered down,

bastardized (made "impure"), or blown off course by shifting political winds. They also recognized with an impending election and significant opposition to provisions of the NCLB Act, they could not be sure its long-term mandates would remain in place over the ten-year implementation window.

In this discussion, they again discussed "what wordage" to use to manage perception of performance- the political nature of symbols being paramount. In 2003, for example, TEA deliberately made a decision, Criss Cloudt relayed, to not say "fails to meet", but instead use "needs improvement". In this discussion of how to meld state and federal performance categories, most favored keeping the Texas ratings categories and then adding if necessary, "missed AYP". This becomes necessary as Title I schools have to apply an intervention if did not meet AYP standards. This seemed to strike the Texas "nationalists" as rather intrusive and most in the room appeared to desire minimal compliance with the reporting responsibilities of NCLB while they continued to improve and center the provisions of the Texas Accountability System at the state, district and local level.

By July the State had decided to add the term "academic" to performance categories in the state system. Currently the four district and campus performance categories appear as academically unacceptable, academically acceptable, recognized, and exemplary (TEA, 2004). This label adjustment attempts to highlight the academic structure of the state system in comparison to the federal system.

After the release of the results in the fall, the Central ISD superintendent felt obligated "to remind the community that NCLB status is not the same as the Texas State

Accountability ratings," and put the 8 campuses that fell short in AYP in perspective- only 1 of those schools had been rated academically unacceptable in the state system (Central ISD press release, 2004).

**Legislative desire: financial and academic coupling**

Senate bill 76 had directed the comptroller to examine the relationship between the financial ratings of Schools and Districts (termed the School First financial rating) and school accountability performance. This classic production function takes interest in the rate of return of accountability performance per unit of expenditure and discursively relates to efficiency and a "results orientation." In 2003, a financial accountability rating system was operationalized in Texas which rated districts as superior, above standard, standard, below standard, and suspended. District ratings, like high-stakes accountability ratings, are now available to the public via the internet and a TEA representative informed us that 87% of districts are rated superior.

The question posed to the group was whether the financial and the academic, test-centered accountability systems should continue to operate as separate systems or should they be integrated, as some in the legislature desired. The group members were rather united in their opposition to the union of the two systems. One said that "you should not cloud the academic with the financial" and strongly suggested that the coupling of these systems should remain fairly loose. Although they recognized the legislative desire behind such a proposal, they expressed concern with constructing a cost/student achievement production function that would overly simplify extremely complex phenomena. The reality, said one, is that there are lots of different impacts and

adjustments of financial resources and the legislature does not even understand them. Others pointed out that sometimes there are misperceptions that resources that are used outside the classroom are not useful for classroom work and that phenomena should be is explored further by field people and not just University professors (I inferred economists, who are typically consulted around school finance matters). Even with 1100 Districts in Texas, comparing the financial and "academic" performance of districts and schools as well as identifying models of improvement would be overwhelmingly challenging, another chimed. Task force members clearly disapproved of the proposal.

**Monitoring and Evaluation: Increasing comprehensiveness**

A theme articulated in my analysis of Márquez' performance culture was the increasing comprehensiveness of District and school based monitoring and evaluation efforts, which not only produced performance gains, but also led to a more comprehensive, if somewhat commodified, view of students. These themes also circulate through the authoritative development of policy at the level of the state. Following the introduction of the Spanish TAAS in 1997 and the SDAA and RPTE in 2000, from 2002 to 2004 the Texas Accountability System not only switched to the TAKS-based system, but added more comprehensive performance strands to evaluate and monitor districts and schools. For example, in 2002 districts were rated based on percentage TAAS passage and annual dropout rates in grades 7-12. In 2004 Districts are now evaluated by percentage of students meeting the TAKS standards, percentage of students taking the

SDAA who meet ARD expectations[29], school completion rate in grades 9-12[30], and drop-out rate for grades 7 and 8.[31] As a result, Districts navigate a much more complex policy web in which federal AYP requirements are layered over a state system which now applies up to 36 performance measures to the districts, as opposed to 21 in 2002 (TEA, 2004). By 2006, SDAA II will be introduced, which is to be better aligned with TAKS Additionally, in a couple of years the high school completion rate calculation will not include GED graduates (TEA, 2004).

**Educational leadership and the centrality of language and labels**

The task force members discussed policy language and and labels in terms of their mediation and management at the local level- often discussing whether particular accountability policy changes and the language that capture those changes might be successfully leveraged through constituents. There was much concern about the new language that was being used, and as is manifested in this section, the group members were very careful to advocate for the inclusion of what they considered as 'good' language" –language that would accentuate the accomplishments of districts, rather than their shortcomings. A significant amount of time was spent on this, as language is important for symbolic politics of education (Anderson, 2001; Edelman, 1988; Smith,

[29] ARD means Admission, Review and Dismissal Committee. These committees are not only charged with admitting and dismissing students from special education services, they also meet at least twice a year to create and review progress on individual student educational plans. The educational goals written into those plans must now include measurable objectives that align with TEKS embedded in the SDAA.

[30] The Texas Accountability System has been critiqued for grossly underreporting dropout rates and for not incorporating for completion rates (see Haney, 2000, McNeil, 2004; Valenzuela, 2004). Students must now be tracked from their entrance into school in 9th grade until their exit in 12th grade. A district and a high school must show that 75% of all student subgroups that begin as a 9th grade cohort graduate in four years to now be deemed "academically unacceptable"( TEA, 2004).

[31] To be rated "academically acceptable", schools must have a dropout rate of 2% or less (TEA, 2004).

2004). As we saw in examples discussed, the group focused on the use of "exceptions" rather than "waivers", the creation of new "acceptable plus" rather than "acceptable minus" categories as necessities in operating as Superintendents who daily managed the spectacle of parents, community and reporters. They were quick to focus on the ways language can be used to shape the reality of the performance of their districts (See Corson, 1995a).

As such, Task Force members did express concern over how proposed policies or policy language might be difficult to control or manage. For example, one Superintendent worried that with the oncoming federally mandated ratings system, campuses and districts could have two concurrent unacceptable ratings. Then, he added, the Houston Chronicle and other newspapers would spread this negative news throughout the year. These concurrent signifiers carried great symbolic power and would be floating. Thus, District and campus wide public relation steps would have to be undertaken over a significant period of time to create countervailing language that would contain and reconfigure public perception and meanings crystallizing what accountability ratings signify around particular school campuses (Corson, 1995a). The careful attention to labels and language is also a trait of successful leaders. As Morgan (1998, p. 171) reminds us:

> In managing the meanings and interpretations assigned to a situation, the leader in effect wields a form of symbolic power that exerts a decisive influence on how people perceive their realities and hence on the way they act. Many successful managers and leaders are aware of the power of evocative imagery and instinctively give a great deal of attention to the impact their words and actions have on those around them.

## POLICY STREAMS MERGING: THE READING PROFICIENCY TEST IN ENGLISH

### Including ELL students in Accountability reforms

The first step toward LEP inclusion was the inclusion of a Spanish transadapted[32] TAAS into the calculations of accountability ratings for schools and districts. It was officially introduced in grades 3-6 in 1997 in order to increase the participation of LEP students in the accountability system. Prior to 1997, many LEP students (immigrant and non-immigrant alike) were often exempted from testing for up to three years. In the spring, 1999 legislative session, State Representative Domingo García attached an amendment to Senate Bill 103 that limited LEP exemptions to only one year and narrowed the availability of these exemptions to "recent, unschooled" immigrants. This definition applied only to recent immigrants who had experienced limited educational opportunities in their home countries (Valenzuela & Maxcy, forthcoming). Furthermore, this amendment was part of a larger bill that aimed to raise expectations for all students by promoting a higher-level test and a more expansive assessment system. It created the Texas Assessment of Knowledge and Skills (TAKS) to replace the Texas Assessment of Academic Skills (TAAS) starting with the 2002-2003 school year. Consequently, for the 1999-2000 school year, the State Board of Education also limited the exemptions to this category of "recent, unschooled" immigrants.[33] However, feeling pressure primarily

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[32] "Transadapted" describes TEA's translation and adaptation of the English TAAS to Spanish.

[33] For LEP exemptions, students must be identified as LEP, participate in an ESL or bilingual program, have resided outside the United States for at least two consecutive years, be in the first three years of enrollment in U.S. schools, had not received a rating of advanced on the RPTE and also the Language Placement and Assessment Committee (LPAC) has to determine that "the students schooling outside the U.S. did not provide the foundation of learning that Texas requires and measures on TAAS" and "the student's progress by the spring of the school year has not been sufficient to make up for the differences in his or her schooling outside the U.S". For second and third year exemptions,the LPAC must document how

from predominantly Mexican-origin South Texas school districts, the State Board postponed for one year (until the 2000-2001 school session), the one year maximum for exemptions. Then, in April 2001, Senate Bill 676 passed, only a few weeks before the TAAS was administered. This action reversed the policy, returning to the traditional three-year window for exemptions, albeit retaining the narrower exemption category of "recent, unschooled" immigrants. As a result of these changes in LEP exemption eligibility, in 1999- 2000, the statewide LEP exemption rate dropped from 20% to10.7% (TEA, 2002b, p. 6).

***Designs for the development of the Texas Reading Proficiency Test in English***

The 1999 Texas Legislature sought to avoid an Accountability system legitimization crisis around high LEP exemption rate by commissioning a study to: (1) examine possible expansion of the assessment system for LEP students to include Spanish assessment in grades 7 and 8; (2) reconsider the recently passed one-year LEP exemption and options for re-establishing the three-year exemption; and (3) consider the "use of performance on the RPTE as a vehicle for measuring TAAS readiness" (TEA, 2000, p. 1). Motivating this study were concerns in the legislature "about the number of students exempted from the assessment system and the need to lower this number to better promote the academic achievement of all students" (TEA, 2000, p. 1). This study, authored by an outside consulting group called BETA and published by TEA in

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'the extensive absence of schooling outside the U.S. resulted in such limited academic achievement…that an assessment in either English or Spanish is still inappropriate." (TEA, 2002b, 21-22) The labyrynthian process of determining LEP status for testing exemption status, as opposed to for PEIMS, or Public Educational Information Management Systems purposes reflects an incrementalist taxonomy that stimulates inclusion in testing through requiring ever more work and documentation in justifying that exemption.

December of 2000, was entitled *Study of possible expansion of the assessment system for Limited English Proficient students*. This report followed the passage of the above-mentioned SB 103 in the 1999 session. Two of the three recommendations in the BETA report were endorsed by then Texas Education Commissioner Jim Nelson and subsequently were contained in Senate Bill 676, which passed in April of 2001. SB 676 allowed for an up to three-year testing exemption for "recent, unschooled" immigrants. Implicitly, it recommended *not* expanding the Spanish TAAS to the seventh and eighth grade levels. Additionally, and congruent with the federal NCLB legislation that calls for annual testing of ELLs in English, it supported the development and continued implementation of the RPTE, which has been employed in Texas since 2000.

Another key document illuminating the discourse around the development, use, and interpretation of the RPTE is the primary training guide for campus level Language Proficiency Assessment Committees (LPACs), *LPAC decision-making process for the Texas Assessment Program (grades 3-8).* The charge of the LPAC is to guide and document assessment and placement decisions for LEP students. Members include an administrator, two teachers of LEP students, and a parent of a LEP child. This document explains for LPAC members why the RPTE was developed and guides them on using and interpreting RPTE data productively. In Texas, LPACs are responsible for guiding and documenting assessment and placement decisions for LEP students (TEA, 2002d, 2004).

These inclusionary modifications to the system were part of an official institutional effort to "ensure an assessment of LEP students that was reliable and equitable, and that would prove to be useful [tools] for improving both student learning

and the overall effectiveness of Texas schools" (TEA, 2000, p. 1). To meet these stated aims, the RPTE is tied to the Texas State reading objectives**,** and items are developed to target three broad developmental categories of English reading proficiency: beginning, intermediate, and advanced. Accordingly, students receive categorical performance ratings in one of those three categories. All immigrant and LEP-identified children in Texas public schools take the RPTE in grades 3-12 until they reach the "advanced" performance level, at which point they no longer take the test. Data are presented at the individual level and in the form of cohorts, i.e. the percentage of students in a cohort making annual progress from one performance category to the next. Although the information is reported publicly, no direct high-stakes sanctions have yet to be attached to poor performance on this test (TEA, 2000, pp. 6-8).

**Official discourses on ELLs, accountability, and equity**

> RPTE scores indicate how much English a Spanish TAAS examinee is able to read and understand, which helps the bilingual education teacher increase academic instruction in English. RPTE scores also help the LPAC ensure that the student will be able to demonstrate his or her academic skill levels meaningfully in English when TAAS in English is administered. (TEA, 2002, p. 60)

In theory, the inclusion of the RPTE has made the assessment system more comprehensive and developmentally appropriate for ELLs while simultaneously leading them in a sequential manner to successful performance on the English TAAS: “The RPTE and the TAAS reading tests form a sequential and cohesive system of measurement” (TEA, 2000, p. 28).

Accordingly, the BETA report lauded the benefits of the RPTE in assessing academic reading ability in English and in measuring the essential knowledge and skills

students needed to acquire in the interim period before taking the TAAS in English. "This test will help districts ensure that LEP students are making the steady annual progress in reading that is a prerequisite to their success in English academic settings" (TEA, 2000, 26). Moreover, the manual that the Texas Education Agency uses for training LPAC committee members (TEA, 2002) clearly states that the primary purpose of the manual is "to guide LPACs about the inclusion of LEP students in the Texas Assessment Program" whereas its secondary purpose is to "raise the level of awareness of the educational needs of second language learners" (p**.** 5). The same manual also proposes that the narrowly measured levels of proficiency reported on the RPTE will help district management with their concerns about LEP student performance.

Official discourses, thus, position the RPTE as an integrator of the exempted student as she/he makes progress toward full and successful inclusion in the system. The RPTE is a policy-derived instrument that is designed to serve an evaluative function in measuring an individual's progress in learning English reading skills that are later tested in a high-stakes context. It is further situated as measuring a school's efficacy in both teaching English reading skills quickly while providing diagnostic information that will guide instruction. Inaccurate decisions are positioned as harmful to students and proper use of "technical" information around inclusion in accountability is sanctioned. For example, TEA's manual for LPACs functions to:

> help LPACs include LEP students in the assessment system in a consistent and appropriate manner. Both administering state assessments to a LEP student too soon and delaying the assessments too long can have undesirable consequences. Measuring LEP students' academic skills in English before they have had time to learn English confounds assessment data…On the other hand, delaying the testing of struggling LEP students until they no longer struggle distorts information about how well schools are meeting their educational needs. (TEA, 2000, p. 8)

The importance of inclusion in the reforming power of TAKs testing is further justified by the argument that if schools and districts wait too long to test, "their [the LEP students'] special needs will not be identified and addressed promptly, they may struggle academically long after they have learned the English language" (TEA, 2002, p. 9). As can be seen, then, the discourse of appropriate testing reflects an assumption of enhanced systemic and individual productivity being achieved through full inclusion within the state's testing/accountability system.

However, there are also recognitions of the imperfections of the instrument in leveraging change. TEA itself publicized the issue that 51% of RPTE test takers enrolled in school for four or more years (59,000 students) did not reach the advanced level in 2001. Their response to this was to restate institutional faith in the information provided by the assessment and to urge intervention at the local level so that TAAS performance is maximized:

> when adequate teaching and learning have occurred a LEP student should be able to reach advanced level on RPTE before taking TAAS…A student who scores at the beginning or intermediate level on the RPTE one year and stays at the same level the next year is not progressing at a rate of one level per year. Careful local diagnosis and instructional planning are needed for such students, as they may have difficulty succeeding academically and attaining advanced proficiency by the time TAAS is required. (TEA, 2002, p. 57)

**Advocate discourses on ELLs, accountability, and equity**

While also characterizing the current political environment as imperfect, the legislative liaison for the National Association for Bilingual Education (NABE) highlighted the importance of including ELL students in accountability and standards movements. She stated that previous to 1994, work on standards did not include LEP

students and that since that time NABE has worked on including LEP students in the standards movement and in appropriate testing environments. During the debates on NCLB, NABE took the position that annual English proficiency exams would inevitably be required of all LEP students under Title III. Therefore, NABE's achievement came in including language that required assessing reading comprehension as part of the English proficiency test, so that students could demonstrate higher order thinking skills that would soon be assessed on high-stakes exams in English. The NABE representative also stated that annual testing of English proficiency should not be new to good bilingual programs and that even though the transitional timeframe (3 years) that is embedded in NCLB is less than optimal, the Act can be seen as a victory in that it turns state education agency focus toward raising the performance of LEP student population while providing some additional inputs, such as professional development (Loera, 2003).

In Texas, many respondents in the 2000 TEA study indicated that they were receptive to the use of the RPTE because they were already being held accountable for English TAAS performance, yet they had no systematic assessment of immigrant and LEP students that was directly linked to the TAAS (TEA, 2000, p. 20). Some stakeholders said the RPTE was a critical component that could support the "use of the resources in place at the elementary grades to bring students to an adequate level of proficiency in English by the time they are in Middle School" (TEA, 2000, p. 22). In addition, several school district bilingual directors met at the October 2000 Texas Association for Bilingual Education Conference. They spoke in institutionally ascribed roles as advocates for immigrants and LEP youth and also as the school personnel who

work with them: “this group strongly supports accountability and maintains that *LEP students should have equal access to mandated testing*, when appropriate, in order to make sure that school districts are accountable for the achievement of these students” (TEA, 2000, p. 57, italics added). Some advocates saw the complete inclusion of LEP students within the accountability system as a means of raising expectations and combating a “pobrecito” syndrome, which means that students were cast as needing sympathy because of their plight and thus that teachers had low expectations for these students. They spoke of the rising, although generally low scores, of LEP students who were now being included in the Spanish or English TAAS as examples of how schools were beginning to focus efforts on traditionally forgotten groups who in some cases had been assigned to a separate track, a type of bilingual ghetto of low expectations. Therefore, focus group interviews conducted by BETA with advocates and experts in Texas reflected strong support for limiting LEP exemptions, and the RPTE was viewed as a way to limit those exemptions, while providing some time for the students to catch up (TEA, 2000, p. 21).

Many of the advocates that did indicate support for the RPTE also urged caution in designing its use. In general, they were in favor of using it for reporting and instructional purposes, but not as a high-stakes accountability measure. This concern was also extended to the time needed for transition to successful performance on the TAAS. In addition, the survey of parents, students, and other community members carried out as part of the 2000 TEA sponsored report indicates that most respondents indicated that it

takes 3-6 years for a LEP student "to demonstrate academic progress meaningfully on a standardized test like TAAS" (TEA, 2000, p. 18).

**The RPTE and non-linear progress**

As the task force and the TEA recognized, data are emerging which suggests a correlation with Sabatier and Manzmanian's (1995) dictum that the more diverse the behavior being regulated, the less likely the objectives of the policy will be successful. This becomes compounded when reforms contain implicit causal theories that are inadequate. The official discourse reflects assumptions that in monitoring and diagnosing LEP students with the RPTE, schools will make efforts that will produce both second language and academic content knowledge for all LEP and immigrant students in a relatively rapid fashion. Such putative outcomes will, in turn, lead to success on high-stakes tests. This implicit linear progression is set forth in the goals that TEA has for instructing LEP students:

> Most immigrant LEP students in Spanish bilingual programs will be able to meet the requirements of the TEKS in Spanish by the spring of their first year in the U.S. [and] most immigrant LEP students who enter U.S. schools with little or no knowledge of English or with limited prior schooling will be able to meet the requirements of the TEKS by the end of their third year in the U.S. (TEA, 2002, p. 8)

However, Rizvi et. al (1997), Bowe and Ball (1992), and Levinson and Sutton (2001) contend that policies are almost never 'lived" in such a linear and rational fashion. Ball (1994) relates a notion of policies as that "always incomplete insofar as they relate to or map on the 'wild profusion' of local practice" (p. 10). Initial results from the RPTE demonstrate contradictory and incomplete policy texts partially explained by the undiscriminating (overly large) categories used in reporting RPTE results (TEA, LPAC decision making, pp. 58-60, 62-64). For example, 41% of students who tested in 2000

and 2001 did not increase their rating by at least one proficiency level. Nearly half the students rated "beginning" in Spring 2000, remained in the beginning category in the spring of 2002. Children who had been enrolled in U.S. schools for four year or more did not do any better than their less experienced peers: 45% of those students who did not move out of the beginning level had been in U.S schools for four years. At the aggregated State level, the percentage of students that moved upward in proficiency levels on the RPTE from 2000 and 2001 was lower for the cohort with four years or more of schooling in the U.S. than for the two-year residency cohort and the three-year residency cohort. This suggests that a significant number of students are struggling on this measure of English language proficiency and also that students beyond 5th grade in this cohort will be required to take their English high-stakes assessment without an adequate foundation in English reading, as measured by the RPTE.

In terms of the RPTE in 2002-2003, Central Texas Independent School District students' performance was distributed as such: 43% advanced, 29% intermediate, 28% beginner. Interestingly, the percentage of students scoring advanced on the test peaked at third grade at 50% and 10th grade (55%). ELL students are tested for the first time in third grade and many have been in US schools since Pre-k and have had several years of bilingual education support. The beginning level peaks at 9th grade (47%).(CTISD, 2003, pp 14-16). As other studies have shown (Haney, 2000), dropout and retention rates in Texas are high in 9th grade and LEP and immigrant students may be particularly affected. Two years worth of RPTE data demonstrate that 64% of students moved at least one level: 22% from beginning to intermediate, 32% from intermediate to advanced, 10% form beginning to advanced. Again, refuting linear yearly assumptions of progress, over a third of students (35%) maintained the same category of performance over two years, and 56% of this subset of "non-movers" remained at the beginning level for two years.

The District report interpreted this data through state policy guidelines, saying that the district had not met the "recommendation of TEA's assessment division" (CTISD, 2003, p. 20). Thus, a discourse of crisis can easily attach to ELLs and their performance, as the District is not living up to its obligation: "the district's objective is to assist ELLs in attaining English proficiency and in meeting the state's standards." Central Texas Independent School District's ELL students performed in ways similar to the state trends that led the associate commissioner for accountability to call the RPTE results "abysmal" and for the District evaluation department to recommend strong monitoring of the delivery of curriculum to the students.

***The results are "abysmal"-what do we do now?***

The Educational Accountability Task Force members recognized a problem in the achievement gap between immigrant and LEP students' performance and the "all students" group performance on the TAKS. They also recognized that RPTE performance since 2000 had not met the expectations of the agency. However, what was most striking about the group's discussion of the RPTE was its silence and lack of suggestions on ELL performance. I argue that the technical vocabulary and discursive limits of the conversation were insufficient to capture what they and others (Solano-Flores & Turnbull, 2003) represent as a complex phenomenon-validly measuring ELL students as well as providing sufficient opportunity to learn (García, 2001).

First, the instrument was introduced as a problem because of what it produced: poor results. Additionally, the director of accountability noted the newfound high-stakes role of the RPTE that makes it indispensable: "I don't think we can remove the RPTE, given the AYP, I think you have to make a commitment to working with it." The original

idea was to replace the RPTE with another evaluation soon, but that decision has been postponed (there had been budget cutbacks in the agency). The director noted that they are working with consultants to come up with an RPTE II in 2006 or 2007, and at that point it "may become a full part of the state ratings system." I was thinking we might be able to fully integrate the RPTE into the accountability system in '05, Cloudt chimed, now maybe it will be '06 at the earliest. So the original plans to phase the RPTE fully into the Texas Accountability System were postponed due in part, according to Ms. Cloudt, because the "results for AYP on the RPTE for LEP students were abysmal."

After she stated this, the group remained silent- a rarity during that day. She seemed to confirm that the reformist intent of the RPTE to facilitate a three-year transition to high performance on the English TAKS had not been realistic or successful (Black & Valenzuela, 2004). Then TEA personnel claimed that the movement from beginning to intermediate on the test was slow and was "what killed us." This policy is based on the assumption that academic English skills could be learned quickly, in three years at most, which is countered by research and experience in language acquisition theory and long-term practice (Cummins, 2001; Freeman, 2004; García, 2001). They added that students who score advanced seem to move on ok and the problem is that campuses and districts would not get credit for them, as they have not moved out of the measurable student subgroup for English AYP. Often, the TEA personnel stated, you find two groups with the RPTE, one at the bottom that stays there for a while and one that tops out and then is no longer included in the AYP calculations.

Lisa, a TEA employee recognized the limits of using one measure to mark progress in English, stating that the ideal would be for the RPTE functions as a much closer stairstep to TAKS, but that one can look at other measures. So, here individuals in the state are much more sympathetic to multiple criteria systems and critiques of the RPTE brought forth elsewhere (Black & Valenzuela, 2004; Valenzuela, 2004). Since no one from the Task force was talking, Lisa continued. Looking to how to present the results in a better light, she suggested that progress could be shown by following LEP students for two years on TAKS rather than using the RPTE. Next, Criss Cloudt put forth another alternative: report how many years it takes to pass the English TAKS, which is the focus point of the Texas Accountability System. Based on the four years of available RPTE and TAKS data, TEA and task force members recognized the weakness of using the RPTE as it was designed: to track and yearly student progress through the three RPTE performance levels, and to catalyze students onward to passing the English TAKS.

I interpret the quiet response as discomfort with a system's Achilles heel: LEP student performance. In addition, few know how to deal with the subject. It was given as something that others, vaguely named "experts", could then solve as a technical problem. The director said that the state could use the work and measurements developed by experts contracted directly through federal Title III efforts. The conversation also carried the silences of racialized social and linguistic constructs that have been embedded within school institutions, including the social space carved out for bilingual education, which is narrow at the district and now the state level (Dueñas-Gonzalez, 2001; Espinoza & Aguilera, 2001; Grindberg & Saavedra, 2000). After the TEA personnel had spoken, a

white Dallas area district director of accountability finally spoke in the most general of terms: “LEPs are truly being left behind.” With a fated tone, he stated that the RPTE had good intentions and that bilingual and ESL teachers saw it as a breath of fresh air that helped them to focus on the most important thing they needed to accomplish. Then, in defense of its use in the system, he continued to argue for stronger use of it- “I don’t know why were not using the RPTE now” in the state accountability ratings. He said that it would be a strong argument for Texas (reflecting the Texas nationalist theme) and the meaning of the federally mandated AYP ratings if the RPTE were now fully high-stakes in the state accountability system. But, he admitted, it was beyond him to know how to do that now; technical explanations were insufficient. In the next breadth, he returned to an old theme regardless of the trends in the data: “Lets use the old one [RPTE] and get it into the system to counter the argument that we are letting LEP students go away.”

This argument counters the critique that the system is not comprehensive in its management of teachers and student subgroups. He added that down the line it would be great to have multiple measures for LEP students, but for now the system needs to remain legitimate in its claim that it “does not leave students behind.” Throughout the thirty minutes of the conversation, TEA personnel dominated the conversation and RPTE and LEP performance came to be situated as simultaneously suboptimal and complex. Only one task force member spoke about the RPTE. The conversation ended with the acknowledgment that in 2006 or 2007, the RPTE II would be introduced and after one benchmark year, it might become a full part of the high-stakes accountability system.

The accountability manual published later in the year discussed the intent to develop a proficiency measure for ELLS. 2007 would be the base year, as "the state indicator will build on the work done to define an annual measurable achievement object required under Title III." In official discourse, the state is considering using the current RPTE as part of the state accountability system- 2005 will be a base year and the standards will be set following an analysis of the results (TEA, 2004). The state continues to display ambivalence towards inclusion of the RPTE as a fully high-stakes instrument and given the poor results, they are moving towards inclusion of the test as a high-stakes rating instrument more as a result of federal policy pressures, managing the tensions and contradictions by choosing system legitimacy concerns over the desire to more comprehensively and tightly couple all measured student performance.

**The Disciplining of immigrant and LEP youth**

The development and public use of instruments such as the RPTE form an important policy technique for the inclusion of ELLs in the disciplining functions of accountability systems and the flow of resources or attention to the areas of the system that become defined as most in need of reform through the technocratic gaze of test scores and other indicators. Reading proficiency exams are a node around which the technology of power is distributed (Foucault, 1977), allowing for the superordinate importance of ELL students learning English as rapidly as possible in order to participate in English assessments to become normalized. This, in turn, potentially produces silence in other areas of educational growth for students. The field in which English-only becomes normalized is not guided by blunt instruments like California's Proposition 227

or the Massachusetts English-only initiatives, but operates in a much more nuanced and ideologically distributive fashion.

Foucault's notion of disciplining power (1977) as being exercised, not possessed, is useful when examining the RPTE. A large scale, public instrument of English acquisition for students allows for a judgment and diagnosis of individuals in the context of a racialized nation-state with an education system that functions as a system of political subjection of the bodies involved within it. As Foucault (1977, p. 26) explains, this subjection of bodies, such as immigrant student bodies under and through the disciplining forces embedded in accountability " is not only obtained by the instruments of violence or ideology…it may be calculated, organized, technically thought out, it may be subtle, make use neither of weapons nor of terror and yet remain a physical order."

The RPTE, and consequently the English TAKS, therefore, can be seen to function as a disciplinary technique on the individual—it is a type of "political technology of the body" that aims to regulate and provide the basis for self-regulation of the utterances and discourse riding on the lips and tongues of specific students and teachers (ELLs and the educational personnel around them). In doing so through this micro-physics of power, the effect is not simple repression, but an attempt at productivity, and**,** consequently, inclusion of these students in the accountability system becomes necessary to the power and legitimacy of the system itself. If immigrant students perform, then the power of the society as a whole increases: the performative capacities of the individual students are disciplined**,** and the school performs at higher levels. And, like other disciplinary techniques, it seeks to use time in an exhaustive manner—to extract from time more useful forces.

The power relations that exist around language ideologies and that have been examined briefly in this paper give rise to "a corpus of knowledge [for example, around the performance of ELL students through the information constructed and displayed in the accountability system], and knowledge extends and reinforces the effects of this power [instruments such as the RPTE thus extend and reinforce notions assumed in language ideologies]" (Foucault, 1977, p. 29). As Dueñas- Gonzalez (2001) discusses the Foucaultian notion of micro-physics of power and the English-Only movement,

> institutions of power seek to exert control at every level, down to the most everyday interactions between individuals and the individual's construction of their own identity. That is, the public discourse on English Only, along with the anti-immigration discourse, serves as a mechanism to discipline the Hispanic/Latino community and other language minority populations. It reminds all Latinos that they can be defined as illegitimate members of the larger population [i.e. they have language deficits or interference problems]. In this way, the public discourse becomes a mechanism of control by instilling in Hispanics/Latinos the societal power relationships. (p. xviii)

Lack of performance on this instrument exposes ELLs and the educational professionals around them more specifically to micro-penalties around identity and language and cultural deficits, which was seen at Márquez in the discussion of transitioning upper Elementary ELL students. It also serves to reinforce larger discourses around what is legitimate and illegitimate, and the rapid acquisition and use of English has, now been reinforced and institutionalized in Central Texas ISD's *Elevar* curriculum.

The RPTE, as part of a multi-level, comprehensive accountability system with a voracious appetite for assessing and monitoring, is a technique that subtly reaches target populations that have become more widespread in the social bodies of schools. It is part of a system of inspection that the State alone does not carry forth. For example, last year the Austin, Texas, school district used outside consultants to construct benchmarking examinations that were given to students every two weeks and reported to the various

school levels. Similar to Márquez, schools throughout Texas regularly and systematically assess students multiple times in preparation for the official state assessment, often buying assessment curriculum and packages from private vendors without direct mandates to do so (Sloan, 2004). Many believe the use of these multiple levels of assessment- a type of systemic redundancy- should be considered a best practice signifier as successful schools and districts use redundant systems, including assessments, to ensure that all students are attended to positively with strategically placed resources (Skrla, et. al, 2000). In this conception it does become important to garner "equal access to mandated testing" which serves to positively disperse power to historically ignored populations.

The RPTE and the broader public exposure of other accountability measures can also be construed as a disciplinary system in that it promotes confessions (Foucault, 1979), as poor performance on acquiring basic English and on the English TAKS attacks the ideological construction of the nation-state and encourages school personnel and communities to produce confessional acts of truly coming to grips with their ineffectiveness in order to become more productive. Research on high poverty, high performing districts (Skrla, et. al, 2000) indicates to others in low performing (as measured by accountability system results) districts that they too must confess that they were in error and that high expectation for all students works. It is this mechanism for the production of shame on those students, parents, and professionals in low performing districts, schools, or classrooms that punishes and also productively disciplines other schools to perform. At Márquez, teachers who do not perform, to some degree Ms. Woods, are monitored more intensely and if no confession, then they leave. She managed this production of shame by defensively talking about the amount of growth her students had experienced on the TAKS and in other ways. The RPTE now creates new objects for

discipline that did not exist for seven years, and part of its disciplining function is not just for the officially designated ELLs, but also in the production of abnormalities (lack of English proficiency in this case) that require disciplining. An instrument, such as the RPTE, is a crucial link in a system— it creates a new cell for accountability's gaze, it places them in "an arrangement whose internal mechanisms produce the relation in which individuals are caught up" (Foucault, 1977, p. 202) and this "permanent visibility assures the automatic functioning of power" (p. 201). The RPTE functions as a disciplinary mechanism that uses a "design of subtle coercion for a society to come" (p. 209).

Grinberg and Saavadra (2001) state that Bilingual/ESL programs, which originally were developed to challenge hegemonic structures, are now part and parcel of the same system that reproduces inequalities. They posit that States have used the rhetoric of advocating for bilingual programs and bilingual students without provisions for resources. Alongside the implementation of bilingual programs, there has been a systematic use of "valid, scientific" instruments in bilingual education programs to produce legitimate knowledge to justify student deficits, as was noted in the bilingual education as failure discourses encountered at Márquez. The RPTE focuses on what students are acquiring, not assets they already have. These deficits are then used to keep students in separate spaces (an ambivalent, not fully accountable TAKS space) that shelters the interests of those regarded as normal (Grinberg & Saavedra, 2001). The RPTE and the English TAKS shelter the interest of monolingual English speakers and reinscribes their privileged position as normal. Isaac in this regime is more easily constituted as a dropout.

Educational accountability practices aimed at including English Language Learners have not been sufficiently interrogated as to their limitations and their multiple and contradictory effects. Within the same general voices that call for the use of

evidence-based research, there is little of that research that supports early transition bilingual programs (for example, Thomas & Collier, 1996), yet that seems to be the intent of the Texas system. Critical to this discussion is the recognition that many of the efforts described here around the RPTE are a means of dispersing normalizing power that is efficient in catalyzing a constellation of practices of reform that enter through the classroom door, even ironically contributing to the locked doors at Márquez (Elmore, 1996). Accordingly, when the Texas Accountability systems' legitimacy began to be questioned because of high levels of student exemptions, the system responded through the construction of an assessment for special education as well as for ELLs. Certainly, there have been mixed results from bilingual education efforts, and many have suffered from huge implementation problems (Crawford, 2002). However, this "positive" exposure through equal access to mandated testing when undertaken non-critically and in an environment where assimilationist ideologies remain dominant may serve to silence or alter many aspects of bilingual programs and culturally relevant pedagogy without formally abolishing them. Thus, silence was produced in the Task Force meeting around ELL populations and the new Central Texas ISD approach to bilingual education essentially silences or severely limits any possibility of District schools adopting late-exit or dual language programs. This speaks to processes of governability rather than governance (Foucault, 1977) as they are de facto abolished without any formal decree or policy statement denying the possibility of those programs.

The RPTE was introduced in 2000, seven years into the Texas high-stakes Accountability policy effort. Although reported publicly as the percentage of students in particular campuses or districts that annually move from one performance category to another, poor performance on this particular exam currently does not cause a direct, punitive, state intervention. The instrument is, therefore, not a fully high-stakes

instrument, but certainly it is still public enough to reify assimilationist notions that acquiring English proficiency is the most important thing to do for students with language "deficiencies." Indeed, its "publicness" suggests that the acquisition of English language proficiency supercedes content knowledge acquisition in the native language. Federal policies in the No Child Left Behind Act, such as requiring states and districts to provide information of annual yearly progress of groups of LEP students, only serves to strengthen this notion that quick acquisition of English is paramount.

The RPTE does bluntly expose differences in English language acquisition amongst schools and students, and almost no one disputes the importance of acquiring a basic English language reading proficiency in the United States, immigrants most of all. Some of the students who do drop out in high school leave elementary school without an adequate command of the English language, as is potentially the case with Isaac. Nevertheless, the insistence on one indicator that focuses on rapid English acquisition, displays the rate of acquisition publicly, and focuses exclusive attention on deficit notions of what the students do not have, English proficiency is not aligned with a parallel reading proficiency test in Spanish nor the simultaneous and complementary use of other measures in the student's native language or educational assets that are similarly public, except for the Spanish TAKS in grades 3-6. Even though rising levels of literacy in the native language translate to success in the second language (Thomas & Collier, 1996; Cummins, 1998), no such knowledge or asset is publicly displayed and, thus, by exclusion Spanish is subtly guided back to the private spaces of the home (Rodriguez, 1983).

Interestingly, at Márquez Elementary the RPTE, was hardly used to guide instruction for ELL youth- the teachers availed themselves of other assessment information before they would consider using the RPTE. It was viewed by several

teachers as a bureaucratic mandate to be simply hurdled. Laura Ayala, a Texas Education Agency representative presenting at the AERA conference, recognized the imperfection of newly implemented teacher checklist for demonstrating AYP, or annual yearly progress. She recognized that its validity was questionable and that in this way, Texas was behind other states, but also said that the state wanted to be sensitive to teacher's and students time (Ayala, 2004). Yet, in my experience at Márquez, the teachers I interacted with preferred the newly introduced AYP checklist[34] as they believed it would give each students future teachers a much better idea of student strengths and weaknesses than the RPTE would. It also valued teacher professional opinion.

Given that some form of accountability assessment is likely to remain, what are needed are more complex and nuanced assessment systems that recognize that bilingual students perform differently than monolingual speakers (Heubert and Hauser, 1999; Solano-Flores & Turnbull, 2003; Valenzuela, 2000). Instead, the narrowness of the techniques of assessment embodied in the RPTE is similar to other attempts around the nation to measure ELL performance that "can be characterized as attempts to eliminate the effects of non-mainstream language and non-mainstream culture as a way to ensure test validity" (Solano-Flores & Trumbull, 2003, p. 9). As Alamillo, et. Al. (2004) suggest in their research on California, a perceived need to produce results on high-stakes assessments in English has a great effect on the normalization of English-only instruction. It supports an entrenchment of "English language acquisition as curriculum"

[34] In a discussion with a representative of Jackson and Associates, which has been a leading company in the development and distribution of ELL student language assessments, she characterized the introduction of this AYP checklist as major step backward for ELL students as it lacked any validity or reliability. The teacher could simply fill it out quickly at home while watching *Friends* or another television show.

discourse as much as the blunt instruments of highly public, richly-funded English-only propositions that have passed in the states of California, Arizona, and Massachusetts (Crawford, 2003).

I suggest that there is clear support of rapid transition into English, evident in NCLB legislation that established the Office of English Language Acquisition, the establishment of public, transition-oriented reading proficiency tests in English as well as other accountability requirements of the Texas Education Code and this is evidenced by upper elementary discourse and practice at Márquez Elementary. This suggests a much more contentious and complex environment for those that support late-exit transition bilingual education, as well as dual language education. Without critical mediation and interrogation (see Trueba & McLaren, 2000), more extensive approaches to bilingual and culturally congruent pedagogy will be strained through a sieve of positive disciplinary power directed at what is deemed most appropriate: the rapid acquisition of a minimum level English language proficiency that then catalyzes better performance on accountability measures.

The larger irony here is that the expansive research base on the benefits of later exit or dual language bilingual education in not only promoting academic achievement, but also reducing the achievement gap is completely undermined with this mandate for inclusion (Krashen, 1981; García, 1998; Cummins, 1998; Vasquez, 2002; Crawford, 2002, Ramirez et al, 1991). What is striking throughout the BETA report, my research at Márquez, my examination of District policy documents, and the content of the Educators' Accountability Task Force, is that it was difficult to encounter discourse around developing bilingualism or biculturalism as a public or individual asset, except in a few high-performing "protected" spaces like Ms.

Camarillo's classroom or in the limited context of consideration of developing 7th and 8th grade Spanish TAAS tests as a means of supporting bilingual education at the middle school (TEA, 2000, p. 21).

Despite the economic, social, and cultural capital benefits inherent in developing and supporting multicultural and multilingual students, an opposite technology of subtraction is being applied in a myriad of small ways through the public legitimation of English only. This occurs through alignment of accountability efforts embodied in the technology of the RPTE with such factors as critical shortages of bilingual teachers, fewer quality materials in Spanish and other languages, less test preparation and pre-test assessment materials in Spanish, bilingually certified teachers whose Spanish proficiency is limited, administrators whose jobs depend on performance on the accountability measures, the enrollment of poor immigrants in segregated and poor schools, and parents who see their immigrant child's ability to communicate in English as a proxy for academic success (Orfield, 1999; Guerrero, 1999; Orellana, Elk, & Hernández, 2000). As a result, reading proficiency tests in English are a soft form of border protection in the classroom that aligns with a series of immigration controls that have moved to hospitals, welfare agencies, and now schools (Suárez-Orosco & Suárez-Orosco, 2000) that combines with more severe efforts being undertaken in the aftermath of 9/11. The RPTE, the TAKS, the District Benchmark exams, practice exams, and IPGs are all components of an "ensemble of mechanisms [are] brought into play in all of the clusters of procedures used by power" (Foucault, 1980, p.71).

This new focus on deficits comes precisely and suspiciously at a time when immigrant and ELL youth are becoming more prominent in our schools and when some research indicates

that the longer students are in schools, the more negative their performance and attitude toward schooling becomes (Valenzuela, 1999; Suárez-Orosco & Suárez-Orosco, 2000). For example, the RPTE does not focus on attainment of proficiency levels comparable to native speakers, but rather aims to help determine or delineate a point at which "typical" LEP students can take the assessment in English as "an appropriate educational activity" (TEA, 2000, 12). In essence, this is a blunt bureaucratic solution that ascribes a low standard to both native language and English language development for the child whose home language is not English.

**The English TAKS is the linchpin of the Texas Accountability System, notwithstanding the academic and English language needs and challenges facing ELLs. Notions of implementation of multiple compensatory criteria systems or expansion of dual language programs orbit around the English TAKS-centered assessment system, as they might weaken the clarity of the reformative effects, loosely couple them and therefore make them a less focused application of power. What has emerged is a public, ambivalent policy, such as the one around the RPTE that took ten years to shape and one in which traditional bilingual advocacy coalition demands (expanded bilingual education programs, more Spanish language materials, and more teacher training) are crafted around the demands of accountability outcomes. As is stated in the Texas Education Commissioner's rules concerning LEP students in state accountability assessments, (TEA, 2002c: TEC Chapter 101, Subchapter AA. 1011): "the provisions of this subchapter shall supersede any provisions concerning participation of limited English proficient**

**students found in [the subchapter] relating to adaptations for special populations and this chapter to the extent that inconsistent provisions exist."**

Concerns with exemption rates lead some, like State Representative Domingo García, to conclude that LEP children are rarely getting tested and then they become dropouts. They may use a logic of discipline and normalization around accountability to feed the notion that in the absence of "equal access to mandated testing", educational institutions would not pay attention to the LEP and immigrant children. Regardless, in the process of constructing the RPTE, IPGS, and District Benchmark exams, with public reporting mechanisms, an archaeologically assimilationist educational policy was reified. Moreover, to the degree that Spanish language assessment was omitted and an English language assessment was privileged, earlier transition bilingual education and the superiority of the most public indicator, English TAKS (Valenzuela & Maxcy, 2004) is normalized. In operationalizing nodes of language panic, a more subtle application of power and regularity of English-only occurs, and ELL students now become more of an object of supervised transformation. In addition, the education discourse around LEP youth has quickly refocused on correcting English deficiencies, transitioning students quickly, eliminating interference from other languages, and remedying faults in bilingual instruction in assuring performance on a test. In this environment, there is a greater danger for those of us educating (and being educated by) immigrant children to become **"**instances of institutionalized racism, agents of restrictive language policies--thus racist policies -- unaware of their engagement and … carrying out the status quo or unquestioned agency tradition" (Dueñas-Gonzalez, 2001, p. xxxii).

## DISTRICT POLICY CULTURE: CO-CONSTRUCTING ACCOUNTABILITY FOR ELL STUDENTS

### Presenting TAKS performance of ELLs: Defining variance and achievement gaps in setting the stage for the *Elevar* Curriculum

As a precursor to the introduction of the *Elevar* curriculum in the 2004-2005 school year, in October 2003 the district published a Bilingual Education/Program Evaluation Report (CTISD, 2003). In addition to providing figures related to the growth and distribution of the LEP population, it described the performance of LEP and immigrant students on the TAKS, as well as the RPTE.

On the Spring, 2003 inaugural administration of the TAKS, District LEP students had highest rates of passage at third grade (94% on the aggregate of English and Spanish Reading and 88% in math) and the lowest at 11th grade (7% on the English Reading). English Language Learners who had already exited Bilingual Education[35] passed the Reading/English Language Arts TAKS at rates above 80% in grades 3, 4, 5, 7, 8, 10. A clear conclusion was drawn about LEP students who have been in bilingual education and know English and content area well enough to exit the Bilingual Education and ESL programs-they outperform LEP students who remain in those programs within the district (CTISD, 2003, pp i-ii).

The report expressed concerns with achievement gaps, especially as they widen after 5th grade. An overarching concern of the district is that only in 3rd and 4th grade

[35] To officially exit Bilingual education a student has to either: 1. pass the English reading Language Arts TAAS or TAKS, or 2: Score in the 40th percentile or higher on a norm referenced test, in the District's case this test is the ITBS . Exited means that the student is no longer in the bilingual education or ESL program.

reading/Langauge Arts and in 4th grade writing, do the district LEP youth outperform the state TAKS average for LEP youth. The report authors stated (CTISD, 2003, p.13):

> In general, [District] ELLs had lower percentages meeting the English TAKS standards at most grade levels in all subjects than did ELLs throughout the state. Since ELLs are expected to meet TAKs passing standards and are included in the state accountability system, their annual TAKS performance will be carefully monitored by the Bilingual Education/ESL Department staff in order to improve student achievement through program modification.

The lower scores are constructed as a problem and a solution logically needs to be offered. The problem is defined as systemwide and significant given the power and role of the accountability system. Here my earlier discussion of how state policies were designed to systematically incorporate LEP and ELL youth into the high stakes accountability system is comes into perspective as the district mediates and interprets those policies. Rather than contesting or offering a broader vision of success for ELL youth, the performance-sensitive District supports assimilation through accountability policy: the report notes that what is best for ELL students is primarily to meet "the English TAKS standards." In this case, the bilingual department will now closely monitor student performance data and tightly-coupled general education curriculum and assessment systems in bilingual and ESL classrooms to modify the program and accomplish the overarching bilingual education goal of English TAKS success. The panoptic tools of the state accountability system become more intensified for ELL students in the district, who tend to disproportionately reside in lower income, lower performing schools. These schools are much more likely to be subjected to the Blueprint plan and "tier one" and "tier two" labels, which brings much more intensive monitoring and evaluation efforts such as weekly assessment of students guided by strictly scripted curriculum (IPGs), practice TAKS, and benchmark assessments. The report implies that

students in the District are reaping the benefits of a curriculum delivery that is not applied uniformly in bilingual classrooms, and this approach is appropriate since the "regular education" students perform at higher levels on the TAKS. The report uses conceptual frames borrowed from the *LAU remedies* and civil rights discourse over unequal outcomes (achievement gaps) with recommended input changes that are assimilative and wholly curriculum-focused rather than student centered. They seek to reproduce the standard, tightly-coupled delivery of curriculum that is more common in non-bilingual classrooms, but is represented in much of Márquez Elementary's culture of performance. The report seeks more *unum* in the District *pluribus* through mandating program modifications that *must* provide "equal access" to success on "mandated testing."

Although titled as a report to evaluate the bilingual education and ESL program, the report overwhelmingly focused on bilingual education and ESL performance on the TAKS and the RPTE, rearticulating state-level discourse around ELLs, as well as the focus of practice at Márquez Elementary. For example, as its sixth and final recommendation, the authors emphasized success on the state accountability system: "the LPAC's primary responsibility of evaluating the academic progress of ELLs and exited ELLs is to ensure that these students will participate successfully in the state assessment system" (CTISD, 2003). It recommended accelerated instruction in sheltered English and greater academic rigor for secondary school ELL students. Additionally, they stated that " instructional staff *must provide* specific standards and expectations that define sufficient and adequate academic progress in Bilingual Education and ESL classrooms" (itals mine)(AISD, 2003, p. iii). The use of "must" instead of the more common report wordage of "should" can be interpreted as a type of discourse of urgency, something I found at Márquez. As well, it reflects the top down, authoritative discourse which is consistently found in district and school level administrative fiats and actions. This recommendation

also tightly couples to the district's "accountable talk" and "academic rigor" Principles of Learning. It implies that bilingual education classrooms have been outliers in the comprehensive reform efforts of the district.

The report in many ways articulates a replication of the Márquez success story for other students. The District administration concern with tight coupling, systemic monitoring through learning walks, and a preference for top-down management is expressed in the subsequent recommendation for Bilingual Education and ESL classrooms: "All instructional materials *must be* aligned the TEKS and IPGs, and *must* be readily available" (itals mine) (AISD, 2003, p. iii). This is certainly read by instructional staff as a critique and a desire for systemic evaluation and monitoring of materials through learning walks and other administrative "compliance" visits. Whereas it is implied that many bilingual and ESL staff may not be "appropriately" following the productive standard state curriculum and longitudinally standardized Instructional Planning Guides for each subject area, the specifics of critique also demonstrate why Márquez is crafted as a success and why Ms. Gamez is selected to lead the reform of the bilingual program. Márquez not only had relatively high TAKS and TAAS performance in its bilingual classrooms, but it accomplished this by providing specific standards and expectations and aligning instruction with the TEKS and IPGs, including having TEKS and rubrics accompany all publicly posted student work, which itself is presented in a standard format.

Another recommendation was early identification of student needs, which Ms Gamez and the staff at Márquez did- they knew their students. Additionally, the report authors attempted to push through the classroom doors again, stating that "student assessment data *must be* used at the classroom level. Early review of academic history is necessary to determine support for students to be successful in school and with TAKS

(itals mine) (CTISD, 2003). At Márquez, student assessment data is so ubiquitious that students often know each others performance on assessments and the Superintendent can praise publicly and hierarchically arranged turtle figures that reflect each student's standard's based assessment performance. Additionally, the staff did know each student and could articulate throughout the year where each student stood relative to TAKS passing standards. The report reflected a progressive curriculum-centered faith that if the curriculum were delivered and monitored more consistently then performance would improve, which meant that ELL students were doing better. The report did also suggest one input oriented recommendation: continued investment in bilingual educators through professional development.

### *Elevar* Curriculum and the reform of bilingual education in Central Texas ISD

For the 2004-2005 school year, the *Elevar* curriculum was introduced in an organized and systematic fashion through series of meetings led by Maria Gamez as well as through written material. It is part of a wider systemic reform of the District bilingual education program, and it has been met with some resistence that follow-up memos have attempted to assuage. Ms. Gamez now heads the implementation of this new bilingual education program in the District, and she introduced it to bilingual education teachers assembled at the beginning of the 2004-2005 school year (Personal Communication with Carmen Colburn, September 10, 2004) Most striking about the new program is its comprehensive, mandated use of what is termed "academic" English for ELLs. Content areas such as math and science are now to be taught exclusively in English, in theory, developing ELL students with content-based academic English proficiency from their first contact with the curriculum.

With *Elevar*, ELL students who have been in the district since pre-k and k are now expected to be fully transitioned to English-only instruction by 4th grade at the latest as a result of systematic exposure to content in academic English. Additionally, recent immigrant students, those who might be at the beginning or intermediate level on the RPTE are now pooled into specific classrooms on select campuses where they receive focused ESL and bilingual support. The idea is that more intensive attention will allow these Spanish dominant students to transition to middle school and the English TAKS, while freeing 4th and 5th grade bilingual teachers from needing to adjust the curriculum and teaching practices in order to meet the radically different needs of individual students. It also more easily constructs a cell for analysis of outcomes, thus making it easier to track and monitor progress systematically.

**The Student Success Initiative and Central Texas ISD**

Central Texas ISD officials expressed relief that the Student Success Initiative high-stakes scores on the third grade Reading/Language Arts TAKs were not as poor as they had feared. After the first March administration, 91% of third graders had passed the test and by July, 97% of the district's third graders passed the test, which is on par with the state average. However, the state average passing rate on the Spanish Reading/Language Arts test was 94%, while the district had 93% of its 3rd grade Spanish test takers met the passing standard[36]. This translates into 59 students that took the English test and a disproportionate 52 Spanish takers (down from 131 total in 2003). Nearly as many Spanish test takers were subject to Student Success Initiative punitive

[36] This figure includes the cumulative results after the third administration of the third grade TAKS.

sanctions as English test takers, yet English test-takers outnumber Spanish test-takers 4,229 to 1,083 (Retrieved from Central ISD website/accountability department October 8, 2004). Five hundred and eighty nine LEP designated third graders took the English Reading/Language Arts TAKS and 97% successfully met minimum expectations. In the highest stakes grade, students passed the Reading/Language Arts TAKS at higher rates than any other grade level. This holds true for the district as well as the state passage rates. One thousand fifty nine LEP students took the Spanish version, as there is no viable dual language program in the district. In 2002, the last year of the TAAS, 89.8% of students met the passing standard on the English R/LA test, while only 75.6% achieved passing standard on the Spanish test. Also, in from 2000- 2002, the third grade retention rate for the district ranged from 1.1% to 1.4%, lower than the state average (Retrieved October 11, 2004 from www.tea.state.tx/cgi/sas/broker).

The disproportionate impact on LEP-designated students is clear. Even with the high percent of students passing in the district and state, interestingly as I write this section of the dissertation, the Texas Education Agency has not published retention rate information. There is speculation that such an absence is due to impending November 2nd elections. Thus, the "publicness" of the system touted by advocates of the system, while expansive, remains selective (See Valenzuela & Maxcy, forthcoming). However data released by the district demonstrates that third grade Spanish test takers are 25.6% of the district's test takers, yet they represent 47% of the students who did not meet the TAKS passing standards. At Márquez, the 8 Spanish examinees (7 of which were officially LEP identified) in Ms. Camarillo's class represented 26.6% of the 3rd grade TAKS R/LA test

takers in the school. All passed the test, which exceeded the district performance average (although one student failing would have put the school below the district average).

Interestingly, with the tougher, more rigorous standards in place under the TAKS-based system, passage rates are higher than the TAAS in the Student Success Initiative focused third grade. Certainly this can be due to tightly-coupled monitoring, a performance-oriented District culture and carefully orchestrated and focused instruction as evidenced at Márquez: all responses to State policy. However other factors at the state level include efforts to prepare schools through TEA publications such as a TAKS manual for each grade level, Pro-lectura (a statewide initiative in Spanish reading), a two year time table to prepare, three opportunities to pass the test, the addition of one standard error of measurement, as well as the State Board of Education's decision to set the passing standard for items correct at a low level (TEA, 2004).

## CONCLUSION: CONSTRUCTING PERFORMANCE, INCLUDING ELLS, AND REINSCRIBING ASSIMILATIONIST IDEOLOGIES

In this chapter, I portrayed the way certain accountability policies were constructed at the state level rearticulated themes that were evident at Márquez Elementary. There great concern was given to constructing accountability policy tools that would leverage performance and support cultures of performance at local and district levels. The accountability reforms considered and implemented, such as the RPTE and setting of rating category performance floors sought to expand the comprehensiveness of the system and the reformist gaze of the state, while concurrently weaving enough flexibility (low passage floors, exceptions, standard error of measurement policies) into the system as to protect the legitimacy of the state. The construction of these new

monitoring and assessment tools, in coordination with a more tightly articulated state mandated curriculum, support the implementation of tightly-coupled administrative systems and leadership, which was evidenced at Márquez. The means by which the policies are constructed and implemented through multiple institutional levels also support professional educational administrators, such as the ones in attendance at the "Educators" Task force, while hierarchically reducing the influence of non-professionals, such as the parent at Márquez who envisioned herself being constructed as "a little person" in the accountability-driven, tightly-coupled, and stressful local educational atmosphere.

As for ELL students and bilingual education, state discourse and practice that oriented toward "equal access to mandated testing" captured civil rights discourse under the reformist impulse of the standards-based accountability reform movement. When measurable outcomes for ELL and immigrant students at the state and District levels lag behind the "regular" students, bilingual education as failure discourses are engaged by teachers at Márquez, and stream through District reports and state-level analysis of Reading Proficiency test results. As a result, accomodationist stances are systematically troubled at various institutional levels and assimilationist ideologies already embedded in curriculum-centered approaches, standards, and "equal access to mandated testing" have come to predominate in the lived experiences of immigrant youth.

I use the term **"**assimilationist archaeologies**"** in considering the ways in which current policy directives vis-à-vis LEP, immigrant youth are embedded within a historically informed, subtractive discursive formation that feeds deficit thinking. Subtractive refers to a process of removal of cultural capital and assets (Valenzuela, 1999), and deficit thinking refers to ascription of cultural and intellectual deficits to cultural groups and the individuals within them (Valencia, 1997). For example, the

manner in which an instrument like the RPTE is designed and implemented publicly, the manner in which the *Elevar* curriculum centers early production of English in order to perform on tests, the construction of ELL student performance as poor and due to variance of District bilingual classrooms, and the need to transition students like Isaac before they reach Middle School are all contexts where an assimilationist discourse that focuses narrowly on what students lack (a set of English language skills) rather than what they possess, i.e., their assets becomes normalized. While technical power is mobilized through the school system and the public reporting mechanisms in order to "move" the student to standard levels of performance, what constitutes a standard and a standard level of performance is constructed partially through and from discursive practices that draw from assimilationist archaeologies. As knowledge claims about LEP children are mediated through the powerful constructs of accountability and performance, as well as tightly-coupled curriculum systems, these claims seem to draw in a "natural" or normalized fashion from subtractive and deficit notions. These discourses, in an environment of a language panic, "accomplish the elevation of whiteness and the exclusion of color through the production of texts about language" (Hill, 2001, p. 247).

An example of how assimilationist policy archaeology forms a set of social regularities that establish a set of conditions for a policy practice to be exercised (Scheurich, 1997) is evident in the Márquez Elementary's decision to have students like Isaac in English-only environments "for their own good" in order to be a productive student and citizens. It is also evident in the *Elevar* curriculum's elimination of late-exit bilingual education and the state and national level use of a three-year transition norm. Despite opposition from some advocates at the national and Texas state level, both Texas and national reading proficiency exams and English language acquisition policies are based on three year transition policy, despite research that indicates most students need

more time to transition to academic proficiency (Cummins & Skutnabb-Kangas, 1998; Freeman, 1998). These conceptions of rapid language acquisition become institutionalized as a type of norm, with implied validity, as it springs from official discourses, although many bilingual advocates utilize a competing discourse. (Aparicio, 2000).

How assimilationist regularities also inform the construction and implementation of accountability policies is revealed through the use of the interference hypothesis (that time spent learning content in Spanish should be minimized because it interferes with the cognitive expenditure needed to acquire English). In considering the expansion of Spanish TAAS to 7th and 8th grade, an additive policy orientation would have identified and provided options for middle school educators to utilize asset-based instruction and assessment that begins with a conception of Spanish and different cultural experiences as assets. Not only was the struggle for equal educational opportunity through bilingual education sacrificed to the altar of English Language Assessment, but a deficiency perspective argument regarding language interference was dignified, in effect, as a suitable justification. Several advocates for students at Márquez, including Maria Gamez, Amanda Brown, and Melissa Woods claimed that students are hurt by keeping them in English for too long, delaying their language and academic development, and thus not giving them as strong an opportunity to pass the impending Middle school-level TAKS. The language interference hypothesis was made explicit in the 2002 training manual for LPACs, written not by enemies of bilingual education, but by bilingual education experts at TEA. In encouraging districts to prepare their students for passing the English TAAS, the TEA manual states that RPTE ratings of advanced "are intended to indicate that with another year of effective instruction the students can be expected to engage in standardized testing in English with minimal *language interference*." (TEA, 2002d, 63,

*italics added*). The use of the language interference hypothesis refers back to assimilationist archaeologies that undergirded immigrant schooling, Americanization programs, and large scale IQ testing techniques that were common in the first half of the 20th century**,** that were contested by George Sánchez**,** an early Texas educational reformer who focused on inequitable treatment of Mexican American students**,** and others (Sánchez, 1954; Valencia & Suzuki, 2001; Gonzalez, 1997).

In the next and final chapter, I briefly reflect on some of the policy tensions and contradictions that have thread their way throughout the study. I discuss implications of the study; a multilayered portrayal of cultures of performance, tightly-coupled administrative and curriculum-centered approaches, stress and anxiety, bilingualism as asset versus problem orientations, and the rearticulation of assimilationist ideologies through accountability policies. These themes have different implications for students, teachers, administrators and policy-makers, as well as for the fields of Educational Administration and Educational Policy Studies.

# CHAPTER SEVEN

## Concluding Remarks

There is a reality TV show in France, *The boarding school of Cahvagnes,* in which sixteen 14-16 year old students are secluded in a 1950's style school. Capturing more viewers than any other in its time slot, it has "fueled an already hot debate about whether French learning standards have deteriorated so dramatically that schools must return to the olden days" (Sciolino, 2004, p. 3). In this show, students are disciplined through sharp dress codes, learned information by rote, spoke to adults only when spoken to, and endured public acts of humiliation. "'I have heard a loud outcry in favor of a return to authority,' Francois Fillon, France's conservative minister of education said. He added: 'Life is hard. The educational system must prepare youth for this challenge. Examinations, inspections, are moments of truth" (Sciolino, 2004, p. 3).

However, other French educational commentators believe that the main problem facing France is how to educate and integrate an increasingly diverse population of students, and challenge Fillon's assertions (Sciolino, 2004, p. 3). Márquez Elementary staff and the Texas Educator's Accountability Task Force members are facing similar issues in Central Texas; how to mediate the contradictions of managing increasing diversity and transnationalism in schools through accountability policy responses of standards, examinations, panoptical monitoring, and tightly-coupled rigor- all part of a comprehensive return to authority.

Harry Wolcott notes that ethnographically-oriented inquiries often serve to demonstrate that "the manner in which people go about things often produces a different, and sometimes opposite effect from what is intended" (2001, p. 125). The tensions presented in this dissertation are not necessarily binary tensions (i.e. to have bilingual

education or immersion; to have an accountability system with high-stakes assessments or not), but rather are more nuanced, multiply-located tensions that offer a portrait of the policy web through which various stakeholders and English Language Learner Youth navigate. I also remind readers what would only be obvious to the participants at Márquez; that my interpretation, analysis, and reporting of such phenomena as the performative and test-centered culture of the school are but partial, author-mediated representations of school life and culture. Given this partiality and my decision to portray contradictions and tensions in policies, practices, and disciplinary discourses at the school, district, and state level, I refrained from positing too many direct policy recommendations in this dissertation, but allow others to interpret my portrayal and analysis. Yet, some of the identified contradictions and tensions evident in the study have implications for district and school-based leadership, community members, teachers, and students, as well as the fields of educational administration and educational policy studies.

Many Márquez Elementary community members expressed frustration with state policy processes. Using a local sense of agency, the "street level bureaucrat" option was pursued selectively to mediate or alter policies based on local circumstance, as Maria and Ms. Camarillo did for District IPGs (for the stronger teachers), as the school's own internal monitoring and evaluation systems were more than adequate. Well-organized local systems seem to provide more agency for this mediation of policies. However, many of the mediations did not fundamental challenge the orientation of accountability policies.

Another implication of the research is to demand more equal participation and communication across policy levels through advocacy coalitions. As one teacher noted in

anger at her loss of professional agency when her school was named a tier one school, "they do things to us all the time and we just take it." As Amanda notes:

> There needs to be more dialogue and more hands on experiencing on both sides. I think people in education need to be more active in participating in the political realm. And I think that the people who are making those decisions also need to be able to spend more time at the sites seeing what are the effects of their decisions. I don't think that any of us in this setting can say necessarily what we would do differently because there are so many big issues we don't know about.

The themes of stress and anxiety produced by strong performance accountability orientations that favor control in upper management have also produced teachers that are taking medication and students vomiting during the testing season. In addition, at Márquez, implementing stress management systems for students experiencing test anxiety has become a new part of educational management responsibilities- part of assuring total quality management. My research indicates that studies linking the effect of stressful performance environments to teacher retention and parent involvement are warranted.

This project portrayed tensions as educators attempt to care for students and design learner-centered activities within top-down, curriculum-focused systems fed by high-stakes accountability pressures. When negotiating those pressures, the key, according to Sizer is to continue to rebel at the level of that classroom door in a way that does not bring attention. However, to do so, like Gloria Camarillo, you need to be successful on the TAKS.

Ted Sizer adds:

> The solution is to be humble…to be suspicious of those who say there is one best curriculum and one best schedule of time in which to deliver it. Each child comes into the school with his or her own background, his or her own convictions, his or her own experience. And good teachers take those where they are and move with them in constructive ways. If the system says, 'No, there's only one way of doing things, there's only one way of assessing them, there is only one way of

> organizing for them,' thoughtfully nuanced work with kids is exceedingly difficult. Teachers that I have admired have disproportionately been quiet rebels. Their practice is rebellious rather than the rule. (Olsen, 2004, p.12).

Based on practices and these discourses I traced around students like Juan, Ramón, and Isaac and "bilingual education" as a signifier, I suggest a rupture is occurring in discursive and material practices around bilingual and immigrant education in Texas. Although complex, with practices remaining from diversity as resource discourse of the 1960's and 1970's and early 1990's centered around inputs, tolerance, identity politics, language as asset orientations, and local control; current discourse for equity for ELLs and immigrant youth is now subtly extracting and promoting diversity as problem orientations centered *around equal access to mandated testing* and full inclusion in State-centered accountability movements. At Márquez, in the state discourse around the RPTE performance, and in the District level report that set up the conditions for the introduction of the *Elevar* curriculum, diversity in transitioning and variance in English (as represented by Isaac), featured prominently. Amanda even described bilingual education in the lower elementary grades as unproblematic, but in upper elementary grades where transition should occur, then she clearly identified language as interfering with full inclusion in state-centered accountability systems, which function discursively as substitutes for full inclusion in the broader English-only, competitive society. Isaac was consistently defined as a problem.

Student diversity of skills and level of performance became a major problem for Ms. Camarillo, who worked very hard to meet all needs and was angry at policymakers who did not know how hard it was for her to manage diversity in a system that did not appreciate it. In general, rather than an additive, power explicit, and culture-affirming vision of educational accountability that is to be found in the scholarship on bilingual education and culturally relevant pedagogy, equity for ELL and immigrant youth is

performed by being couched *within* the larger, more public, and hegemonic discourse of educational accountability in which *equal access to mandated testing* became a powerful discourse for equity (TEA, 2000).

In this context, the room for implementing expansive transitional bilingual education programs has been dramatically reduced. As I documented narratives of language interference and of the need for bilingual students to quickly transition to all English environments at multiple levels, even in a school deemed successful, I see that the link to past notions that George I. Sánchez fought during his career is not explicit, but rather a recent one "that could not have occurred at the abstract level of narrative had not the earlier one, more readily graspable at the lexical level, familiarized our society with the idea that language could be reclaimed" (Ladkoff, 2001, p. 9). One implication of this is to provide support for two-way dual language programs. This might be helpful for a couple of reasons. The civil rights discourses that surrounded bilingual education programs in the 1960's and 1970's have been subsumed into and usurped by more powerful standards-based accountability discourses, as represented by the "equal access to mandated testing" position that tends to devalue difference as an outlier. In doing so, assimilationist notions and ideologies have resurfaced in the name of equal opportunity. Secondly, the space for transitional bilingual education has been reduced and the production of limited English and limited Spanish "problem" students in upper elementary grades will continue. English-first and English-only forces continue to gain prominence, particularly as demographic shifts continue and immigrants continue to expand into all corners of the United States. While not in the least removed from issues of unequal internal distribution of resources, greater prominence of dual language programs might result in power-explicit language orientations, calls for multiple criteria assessment systems (including Spanish assessments in the secondary school context), and

new strategic bilingual education advocacy coalitions that draw more politically powerful U.S. born parents and community members as advocates for bilingual education. Otherwise, we can expect further diminution of bilingual education as it competes with pressures to construct tightly-coupled cultures of performance. Forming advocacy coalitions across to the accountability policy arena will also be important. In terms of dealing directly with reforming TAKS-based accountability processes, Lori, a parent, is less than hopeful advocated a reform agenda that involves organizing against the more extreme collateral effects of high-stakes testing policies:

> The teachers will say that it is Ms. Gamez, it is the legislature, it is the way Texas is supposed to be up to Bush. Everybody blames it on the person that is higher than them. And it is true, but if all the teachers, and all the principals, and all the staff and faculty in the district got together and they could get together with Houston and Dallas and all of Texas can get together with people in the next state and the next state and bring down the TAKS test and these strains that they are putting on the kids.

Using rational choice decision-making processes, students like Sharon are constructed as ones that ethical professionals teach and reach out to, but nevertheless are marked as commodity, as a "student who does not count." As such, limited instructional and curricular resources are allocated to the most performatively productive students, those like Ramón. The Texas State Accountability has evolved where more and more gaps for students like Sharon are eliminated as flexibility is designed into the system to allow for Sharon to potentially "count" and yet not hurt school ratings. Market-like solutions to governability problems in Texas parallel conservative reforms undertaken in Europe, particularly Great Britain (Bowe, et. al., 1994), where outcomes are monitored by the state, but most all responsibility to produce the outcomes lays in local schools and in the bodies of the students who are lined up singing "T-A-K-S" at a pep rally.

Foster (2003) has argued for a rearticulation of the local in educational leadership. Noting limiting and silencing discourses of accountability, he says that educational leadership must be sensitive to the local needs. This study has several implications for educational administration. First, more leaders must be like Maria and have interest in language policy, as well as care for their kids. The students at Márquez do get more exposure to curricular subjects and do read and do problem solving in math at higher levels than many of the students in surrounding neighborhoods who go to other schools. However, educational administration programs need to look at their own roots in supporting technical discourse, and a preference for tighter controls which draws from traditional notions of leadership when data monitoring systems become institutionalized. As much as effective data management is important, coursework in it tends to support functional, rather than critical and poststructural perspectives that additionally view accountability data as text embedded in a broader social milieu.

Data organized systematically around Isaac, Sharon, Ramón, and Juan helped create narratives, some of which drew from civil rights, empowerment discourses, but others that were assimilationist, silenced differences, and positioned Spanish as a deficit, rather than an asset. Educational administration programs need to prepare administrators and policy makers to read multiple and contradictory stories within powerful accountability narratives and historical knowledge and perspectives help them to do that. There are important lessons to be learned about how IQ testing was explicitly used to sort and racialize student populations precisely when immigrant population in schools reached its peak. Additionally, discussion and analysis of what it means to be a high-performing school with a culture of performance is important. This dissertation begs the question as to the validity of the TAKS as a marker of truth and pushes schools to go beyond simply being high-performing.

## EPILOGUE COMMENTARY: DOING SCHOOL-BASED "HOMEWORK" AS A FORMER ADMINISTRATOR

My positionality as a former administrator doing "homework" in a district where I had previously been employed brought unique fieldwork opportunities, as well as challenges that others in similar situations might anticipate. My previous contact with the Principal helped me gain initial access and, in combination with my University affiliation and race and gender markers, privileged me as an appropriate person to accompany Maria and the District upper-level administrators on the Learning Walk, which in reflection was a rich source of information for my dissertation. During the learning walk, I was even asked about when I would finish, as they might be able to search for a position for me in the District. So these previous experiences and my standpoint greatly assisted gaining access to "study up", even at the level of state policy development.

However, it also marked me as someone who was "studying down." On several occasions teachers seemed defensive after I was identified as an administrator. Early on, Melissa Woods expressed a desire to have me give her feedback. Admittedly, it would have entailed more work for me as well, but I was hesitant to do so, as I felt it would have put us on more unequal footing. Once, after several teachers and I were talking about several issues, including my project, Ms. Camarillo started out of the room and said, "watch out, he is here to evaluate us." Certainly, any researcher struggles to build trust across race, class, gender, and institutional lines, but having been a former administrator whose job it was to evaluate teachers complicated the situation further. On my next visit to Ms. Camarillo's class, I told her that yes; I am here to evaluate you in some form. We talked about that and ways to alleviate the worst aspects of evaluation and she seemed much more comfortable afterwards.

In my fieldnotes, I frequently reflected on what I would identify as my "administrator's impulse". As an Assistant Principal and short-term Principal, I was accustomed to making decisions, which requires quick evaluation, followed by some visible action to solve an identifiable problem- perpetually urgent. Yet, in my role as a participant observer partially in search of the meaning-making of others, I often had to discipline myself and limit initial judgments and actions. My administrator's impulse worked against a sense of suspension needed to produce the "explicit awareness" Spradley (1980) believes is useful for cultural analysis. This was particularly acute at the beginning of the project, when I felt impelled to discipline a student, or give a teacher another suggestion and was frustrated when I simply would reply, "that's interesting" to a comment I might disagree with. And as is common with most researchers, as I observed and sought to build trust, I occasionally felt like producing an intentional, corrective action rather than going home to write about what was going on. My urge to be productive- produce pedagogy, solve a problem, embrace action-to engage in pragmatics became muted and frustrated. On one occasion, I remember strongly wanting to help Maria with a discipline issue- I even asked her if she wanted for me to talk to him, to provide another perspective. In the end, I My engagement was not sufficiently long or deep to ever dissipate that frustration, particularly given my inconsistent delivery of ESL classes over the semester due to other responsibilities. To collaboratively create some long term action would have been consistent with critical qualitative research traditions and would have been more satisfying.

I was also perturbed by my identification as a UT researcher, as I wanted to reassert my school-based identity, which would be a more "productive" identity. In the first couple of months, I also wanted to reassert that previous identity because I encountered, as others have (Foley, 1995), that being an ethnographer is often

uncomfortable and reflecting on what makes one uncomfortable. I desired the privileges of the administrative position, which provided referent frames for interaction. Now, like a salesman, I thought, I had to go up and introduce myself and sell my project. Unprotected by institutional authority, I approached people unsure if what I was doing was of use to them, when I did not even know if it was or even is. Am I selling lemons, I asked myself? Maybe not doing damage is the best that I can do- what diminished expectations from my teacher and administrator responsibilities!

The day after the Superintendent's visit, I was coming out of the ESL class and one of the students asked me, ""Mr. Black, vas a ser director, principal? Estabamos hablando entre nosotros, y queremos que Usted sea director, es que no nos gusta la que tenemos. Usted va a ser director, no?' I was completely taken aback, then quickly responded that yes, I had been an Assistant Principal, but had no desire to be the principal at Márquez. I said that I was studying the school as part of my Ph.D dissertation work. Yes, but what are you going to do later, she asked. I said that I probably was going to become a college professor. Oh, it is just that we wanted to know what you were doing around here and we would like for you to be the new principal. Striking what seemed like a slightly evasive "neutral" position, which in theory I did not believe was neutral at all, I stated that I was not there to change the school. Oh, we did not know since you walked around with the Superintendent, she replied.

My previous administrative experience and my positionality as an "educated" white male contributed to my access to the Superintendent and to my ability to question and speak as an equal to the principal about both positive and concerning aspects of the school. Select parents witnessed my discussions with Maria Gamez and several parents read my access and positionality as an opportunity to have their concerns legitimized and acted upon by someone with power- an ex-administrator in the same district. That same

day, the parent who had been in the library during my conversation with Maria, Lori, approached me and asked, Can we talk in private? Her shoulders were hunched, inwardly pressing tension. “I agree with you that there are some bad things happening. Heard you used to be an assistant principal- you know things,” she said. Then she stated that I agree with you about the school being too quiet and too strict (I didn’t think I had said that exactly). You just need to stay in the cafeteria one whole day and see how they make the kids be quiet and they say it in a mean way, she said. She continued talking to me about how teachers were not smiling around the school. Standing outside the school, she told me, “teachers have lots of stress, sorry I am emotional…” At this point, tears had formed in her eyes. “I went to this school and it used to not be like this. The teachers are under a lot of pressure and there is nothing we can do.” She added: One teacher, I heard from somebody else, said that the teacher called a child “bad word” and then denied it when the parent called that day and then the teacher spent the entire next day calling the kid a liar. I listened and responded after a short while, I told her that I could tell her who to talk to in the district, but they will tell you that you need to talk to the principal first.

Lori then asked for my card in case she needed to talk to someone. Reluctantly, I gave her my business card. I said that I was uncomfortable, because she should be talking to Maria. Lori said that does not do any good. I did tell her that I could provide her information about the district. In struggling to find the appropriate role, I better understood the role of neutrality as a self-protective one, as I attempted to limit my role to that of an information provider, neither fully contesting Lori’s notions, nor fully attempting to help her. In addition, later that same day, Ms. Soriano, the parent training specialist also asked if I had been principal before and relayed that parents had been talking about whether I was going to be the next principal. That was an extremely uncomfortable position for me, as I did not want to destabilize Maria’s position nor

compromise my access to the school-which would need to be made available through the administration. My work was not simply innocent, but uncomfortable and full of potential conflict, as ethnographic work can be (See for example Shore & Wright, 1997). But the particulars of the conflict also came from my unique position of a former administrator who legitimized parent conflicts through listening and understanding. My response to these was in effect to lay low for a couple of weeks, but these tensions continued to boil and some of them were addressed in Chapter Five of the dissertation.

As a result of experiences such as the ones I described above, School-based qualitative researchers who have been administrators should be aware of the possibilities for particular types of conflict and tensions that might arise during their fieldwork.

-Realize that you will likely struggle with the impulse to evaluate and then to "do something" immediately. Think about scenarios and how you will handle them based on the context and nature of the study, as well as your own proclivities.

-I was not sufficiently aware of how going on the learning walk with the Superintendent might alter my relationship with parents and teachers. You need to be aware that if because of previous work as an administrator, you gain access to higher administration in any public way, that this will likely alter the relationships you have with participants and alter the power ascribed to you beyond that normally reserved for a researcher. This can be beneficial to you and you could use this to bring additional resources to bear, but it signals some tricky issues of retaining access to the research sight and supporting the administration that is in place. Power will probably be ascribed to you (most particularly given the status as a white male) and when the inevitable conflicts precipitate around a school, former administrators need to be aware that certain people might approach you as a type of broker for their position.

-These actions may not be innocent. The legitimacy provided through dialogue with those that feel unsupported and in conflict with current ways of doing things can help inspire action, but it also carries danger. Ms. Soriano, the parent training specialist who felt comfortable with me and told me on several occasions how unhappy she had become with the way things were done at the school ended up fueling discourses of parent dissatisfaction and was fired at the end of the year.

## Appendix A: Research Frames

| Interpretive tradition | Critical/Political tradition | Poststructural influence |
|---|---|---|
| "Traditional" ethnographic observation, interviews, case studies | Longer term engagement with desire to interrupt processes that produce inequalities; material effects to policies | Case study students embody power relations-microphysics of power. Normalization |
| Meaning-making and the construction of school cultural norms, new institutionalism | Engage with positionality and racialization explicitly-reflexivity, participants and institutions have agency. | Policies and data are text that is socially constituted.Socio-cultural, normative notions of policy. |
| Policy cycle & Incrementalist model, Advocacy Coalition Frameworks | Critical Policy Analysis: Study is linked to broader political and economic context | Discourse Analysis; the intersection of power and language. Critical Discourse analysis: multilevel. |

# Appendix B: Texas Accountability and Reporting Policies

### General Accountability and reporting Policies

Texas Assessment of Knowledge and Skills (TAKS): 2003 to present

Academic Excellence Indicator System (AEIS): 1993-present

Student Success Initiative: 2003-present

No Child Left Behind: 2001-present

Special Development Alternative Assessment (SDAA): 2000-present

Texas Assessment of Academic Skills (TAAS): 1993-2002

Texas Educational Assessment of Minimum Skills (TEAMS): 1985-1992

Texas Assessment of Basic Skills (TABS): 1979-1984

### Accountability and Reporting Policies targeting English Language Learners

Reading Proficiency Test in English (RPTE): 2000-present

Spanish TAAS/TAKS for grades 3-6: 1997-present

Federal Annual Yearly Progress (AYP) mandates for acquisition of English: 2003-present

## Appendix C: Demographic Trends Pertinent to the Education of English Language Learners

- According to the 2000 census, nearly one in five U.S. residents speak a language other than English at home. Projecting from the current rates of growth, by 2044, the majority of U.S. residents will be minority language speakers, as forty-two percent of the foreign-born population arrived in the 1990's (Crawford, 2003, p. 1).
- From 1970 to 1997, the amount of school-age children with at least one immigrant parent tripled (to 20%) (Ruiz de Velasco & Fix, 2001, p. 1).
- Mexican immigrant and Mexican-American average age (26 years) is younger than that of non-Mexican-Americans and corresponds to ages in which families are having children that will be attending public schools (González, 2002, pp. 7, 10).
- Latinos make up 56% of immigrant children, but they are 75% of all LEP students (Ruiz de Velasco, 2004).
- From 1970 until 1997 the immigrant poverty rate increased from 17 to 44% (Ruiz de Velasco & Fix, 2001, p. 23). Between 1970 and 1995, 60 percent of the 5.7% rise in the U.S. child poverty rate is associated with immigrant children (Ruiz de Velasco & Fix, 2001, p. 2).
- Schools also face the challenge that 20% of all ELL students in high school and 12% in middle school have missed two or more years of schooling since age six. In contrast, secondary school ESL programs are designed with the assumption of a modicum of literacy in the native language (Ruiz de Velasco, 2004).
- With increasing segregation in schools (Orfield & Yun, 1999) ELL youth have been concentrated in particular schools. Nearly two-thirds of all students in the U.S. attend schools with less than 1% LEP enrollment, whereas about half of all LEP students attend schools where 30% or more of their fellow students are LEP (Ruiz de Velasco & Fix, 2001, p. 3).

## Appendix D: Texas schools and English Language Learners

- Latino students now outnumber Anglo students (41.7% to 40.9%), though 72.5% of Texas teachers are white (TEA, 2004).
- Texas is second only to California in the number of LEP students enrolled, and more than 90% of the LEP students enrolled speak Spanish as their primary language (TEA, 2000).
- From 1997 to 2001, the percentage of LEP-identified students in Texas public schools rose from 13.4% of the total student population to 14.5%, a gain of over 100,000 students (TEA, 2002).
- The graduation completion rate for 2001 was officially only 73% for Latino students (TEA, 2002b), although other estimates drop this rate to below 50% (Haney, 2000).
- In 2001, only 20% of ELL 10th graders met minimum standards on all three high school exit level tests (Ruiz de Velasco, 2004).
- There are dramatic declines in bilingual education program participation after third and fifth grade, transitional years for many students, while ESL program support peaks in 6th and 10th grades (TEA, 2004, p. 6).

# Appendix E: Official Calendar of Central Texas ISD Testing Dates 2003 - 2004

| Legend | |
|---|---|
| **Block = State-mandated test** | *Includes data entry deadline<br>(Note: teachers are required to enter student scores by hand) |
| *Italic = District-mandated tests* | ****State-mandated activity that will affect most campuses.** |
| **Note: The district also mandates weekly subject area tests for "focus" schools.** | ***A state-developed oral language proficiency test is currently under development and will be administered on a date to be determined. |

| Month/Year | Testing Date | Test |
|---|---|---|
| August 2003 | Testing Window (Aug. 19-Sept. 19) | TPRI / Tejas LEE Grade 1; DRA Grade 1 |
| September 2003 | Testing Window (2-19)* | *Beginning of Year Benchmark: Reading & Writing - Grades 2-9; English/Language Arts - Grades 10-11* |
| | Testing Window (15-16)** | TEA Fall TAKS Study |
| October 2003 | Testing Window (6-17) | *ITBS/Logramos Grade 5 (optional)* |
| | Testing Window (6-24)* | *Beginning of Year Benchmark: Mathematics - Grades 2-11* |
| | Testing Window (Oct. 27-31)** | National Comparative Data Study |
| | 21 (Tuesday) | TAAS Exit Level Writing (retest) |
| | 22 (Wednesday) | TAAS Exit Level Mathematics (retest) |
| | 23 (Thursday) | TAAS Exit Level Reading (retest) |
| | Testing Window (Nov. 17 - Dec. 12)* | *Middle of Year Benchmark: Reading & Writing - Grades 2-9; English/Language Arts - Grades 10-11; Science - Grades 4-11* |
| December 2003 | 16-18 (Tues.-Thurs.) | **SENIOR HIGH SEMESTER EXAMS** |
| January 2004*** | Testing Window (6-30) | TPRI / Tejas LEE Grades K-1; DRA Grades K-1 |
| | Testing Window (12-30)* | **MIDDLE OF YEAR BENCHMARK: SOCIAL STUDIES - GRADES 5-11** |

| | | |
|---|---|---|
| | Testing Window (Jan. 26-28)** | Field Tests: TAKS Grades 4 and 7 Writing; TAKS Grade 4 Spanish Writing; TAKS Grade 9 Reading; TAKS Grades 10-11 English Language Arts; SDAA Grade 9 Reading; SDAA Grade 10 Language Arts; TAKS Spanish |
| | | |
| | Testing Window (2-20)* | **MIDDLE OF YEAR BENCHMARK: MATHEMATICS - GRADES 2-11** |
| | | |
| February 2004 | 24 (Tuesday) | SDAA Grades 4 and 7 Writing<br>TAKS Grades 4 and 7 Writing<br>TAKS Grade 4 Spanish Writing<br>TAKS Grade 9 Reading<br>TAKS Grades 10-11 English Language Arts<br>TAAS Exit Level Writing (retest) |
| | 25 (Wednesday) | TAAS Exit Level Mathematics (retest) |
| | 26 (Thursday) | TAAS Exit Level Reading (retest) |
| **Field Testing is state mandated and will affect all campuses. | | |
| March 2004 | 3 (Wednesday) | TAKS Grade 3 Reading<br>TAKS Grade 3 Spanish Reading |
| | 24-25 (Wed.-Thurs.) | Reading Proficiency Tests in English (RPTE) Grades 3-12 |
| | | |
| | Testing Window (April 26-May 21)* | *End of Year Benchmark: Reading, Writing & Mathematics - Grade 2* |
| | Testing Window (April 26-May 21) | TPRI / Tejas LEE Grades K-1; DRA Grades K-1 |
| | 27 (Tuesday) | SDAA Grades 3-8 Mathematics<br>TAKS Grades 3-8 and 11 Mathematics<br>TAKS Grades 3-6 Spanish Mathematics<br>TAKS Grade 10 Social Studies<br>TAAS Exit Level Writing (retest) |
| April 2004 | 28 (Wednesday) | SDAA Grades 3-8 Reading<br>TAKS Grade 3 Reading (retest)<br>TAKS Grade 3 Spanish Reading (retest)<br>TAKS Grades 4-8 Reading<br>TAKS Grades 4-6 Spanish Reading<br>TAKS Grade 10 Mathematics<br>TAKS Grade 11 Science<br>TAAS Exit Level Mathematics (retest) |
| | 29 (Thursday) | TAKS Grade 5 Science<br>TAKS Grade 5 Spanish Science<br>TAKS Grades 8 and 11 Social Studies<br>TAKS Grade 9 Mathematics<br>TAKS Grade 10 Science<br>TAAS Exit Level Reading (retest) |
| May 2004 | | |
| | Testing Window (10-12)** | Field Tests: SDAA Grades 4 and 7 Writing; SDAA Grades 3-8 Reading; SDAA Grades 3-10 Mathematics |

| | | |
|---|---|---|
| | Testing Window (3-21) | *ITBS/Logramos Grade 2 (optional)* |
| | Testing Window (3-21)* | *End of Year Benchmark: Writing - Grades 3, 5, 6, 8, 9; Science - Grades 4, 6, 7, 8, 9; Social Studies - Grades 5, 6, 7, 9* |
| | | |
| | 24-26 (Mon.-Wed.) | **SENIOR HIGH FINAL EXAMS** |
| June 2004 | 1-3 (Tue.-Thur.) | Credit by Exam |
| | | |
| | June 29 (Tuesday) | TAKS Grade 3 Reading (retest)<br>TAKS Grade 3 Spanish Reading (retest) |
| July 2004 | 6 (Tuesday) | TAKS Exit Level English Language Arts (retest); TAAS Writing (retest) |
| | 7 (Wednesday) | TAKS Exit Level Mathematics (retest); TAAS Exit Level Mathematics (retest) |
| | 8 (Thursday) | TAKS Exit Level Social Studies (retest); TAAS Exit Level Reading (retest) |
| | 9 (Friday) | TAKS Exit Level Science (retest) |
| | 13-15 (Tue.-Thur.) | Credit by Exam |
| **Field Testing is state mandated and will affect all campuses. | | |

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# Vita

William Robert Black was born on June 12, 1964 in San José, Costa Rica. He is the son of William Stanley Black of Lubbock, Texas and Carolyn Shotts Black of San Antonio, Texas. He attended Duke University, where he received a Bachelors of Arts Degree in Anthropology and Comparative Area Studies in 1986. He enrolled in a Masters program Latin American Studies at the University of Texas at Austin and subsequently enrolled in the Department of Educational Administration at the University of Texas at Austin, where he received his Masters of Education Degree in December, 1999. His publications include Black, W. & Valenzuela, A. (2004). Educational accountability for English Language Learners in Texas: A retreat from equity. In Skrla, L. & Scheurich, J. (Eds.), *Educational equity and accountability: Paradigms, policies, and politics*. New York: Routledge Falmer, and Black, W. (2003). Introduction to Rhizovocality. *International Journal of Qualitative Studies in Education, 16(5)*. He has worked in the field of immigrant rights and advocacy in Florida and Texas and taught English as a Second Language in Costa Rica. He was a bilingual elementary school teacher for three years, and served the Austin Independent School District as an administrator for four years. During the last three years he has worked as the managing editor of *The International Journal of Qualitative Studies in Education,* taught Spanish classes designed for school administrators, as well as assisted in teaching Organizational Behavior, Systems of Human Inquiry, and Foundations classes in the Department of Educational Administration at The University of Texas.

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